

The  
**American Historical Review**

THE MEETING OF THE AMERICAN HISTORICAL ASSOCIATION AT WASHINGTON AND RICHMOND

IT has for some years been the practice of the American Historical Association to meet, by rotation, one year in some eastern city, the next in a western city, the third in Washington, where the Association has its official headquarters. Since it might be difficult to secure a meeting in Richmond as an eastern city the next year after meeting so near to it as Washington, it had been arranged, in response to the urgent invitation received from the Richmond members, that the twenty-fourth annual meeting, held on December 28, 29, 30 and 31, 1908, should be divided between Washington and Richmond. This year the American Economic Association met separately at Atlantic City. But the American Historical Association and the American Political Science Association, it was determined, should meet first in Washington on the evening of Monday, December 28, and the forenoon of the next day, should then proceed to Richmond by special train on Tuesday afternoon, and should there resume their sessions and continue them through Thursday evening.

The testimony of all seems to be that the meeting was among the best the Association has ever had; that of many has declared it the most successful of all. It may seem too American to appeal to the test of numbers, yet when less palpable evidences of success point in the same direction, it is no harm to say that whereas the highest registration hitherto recorded showed 280 members present (at the Providence meeting in 1906), on this latest occasion the registration amounted to 330 names; it was a matter of regret that so few—less than twenty-five—were present from the region south of Richmond and the Ohio River.

The attractions and historic interest of Washington and Richmond, and their genial climate, doubtless had their part in bringing

together so large a number of the members, and in making the occasion one of pleasure. Much was gained from the fact that, in each city, nearly all the proceedings of both societies went on under one roof, that of a spacious and excellent hotel which afforded abundant opportunities for making acquaintance and for conversation. The special train from Washington to Richmond gave still further opportunities of the sort, more than offsetting whatever disadvantage there is in moving from one town to another in the midst of the sessions. Greater still was the social pleasure of the excursion to Charlottesville and Monticello which some seventy or eighty members made on the day following the sessions.

Besides the ordinary social opportunities which meetings in themselves always present and on which members count, several special occasions were afforded. His Excellency the British Ambassador (president this year of the American Political Science Association) and Mrs. Bryce welcomed the members of both organizations to the cordial and brilliant hospitality of the Embassy, on the first evening of the sessions, and a luncheon was provided the next day by the Washington members. At Richmond it may be said with literal truth that the whole city was hospitable; for, apart from the untiring thoughtfulness and kindness of many individuals, among whom we ought especially to mention Captain W. Gordon McCabe, the chairman of the local committee of arrangements, Mr. William G. Stanard, its secretary, and Mr. Morgan P. Robinson, the City Council made on behalf of the municipality a handsome appropriation for the entertainment and benefit of the visiting members. Clubs, as in Washington, threw open their doors; the Confederate Museum, the Virginia State Library, and the rooms of the Virginia Historical Society, were placed at the disposal of members and were extensively visited. The Woman's Club gave a most pleasing reception, and the Westmoreland Club invited the gentlemen to its celebration of New Year's Eve, a characteristic and unique occasion. Those who went to Charlottesville were entertained to luncheon by the University of Virginia.

Both at Richmond and at Charlottesville the true character of Virginian hospitality was manifested. This is no place in which to attempt to philosophize upon it. Yet it is of importance as a historic trait, and our magazine-writers, ministering to a public taste that would at all costs have colonial history invested with social brilliancy, have persistently mispraised it. Not splendor and conspicuous expense, but the inward graces of cordial feeling and the genial conduct that flows from it, were and are the best qualities

of Virginian hospitality. Their workings were well shown, to the attentive observer, in the informal reception which occurred in the parlors of the Jefferson on the first evening. There was no "receiving line"! That quaint mechanical device, by which a nation skilled in organization but inexpert in the pursuit of social pleasure has sought to ensure that there shall be at least "something doing" when one body entertains another, was not needed by a society which for generations had known how to invest human intercourse with pleasure, and whose universal spirit was that of vigilant care for the stranger's happiness.

But to return to Washington and the first session. In joint meeting with the American Political Science Association, the historical students listened to the inaugural address of Mr. Bryce as president of the latter body. The address, which has been printed in full elsewhere,<sup>1</sup> was entitled "The Relations of Political Science to History and to Practice". With apt illustrations drawn from wide historical reading and abundant experience of political life Mr. Bryce discussed the sense in which political science could properly be called a science, the need of keeping it concrete by frequent appeal to the facts of history, and the value it might have for the public life in abating the domination of phrases, reducing the fluctuations of public opinion, and checking the excesses of factiousness, of localism and of national vanity.

The programme of the separate sessions of the American Historical Association consisted, as usual, partly of formal papers read before general audiences, composed of members and of the public, partly of informal conferences of members interested in special portions of history or special aspects of historical work. In the former, the twenty-minute rule was administered by the presiding officer strictly, and greatly to the satisfaction of the audience; and the speakers, in general, submitted to its operation with the best of grace. The practical conferences, a growing feature of the association's meetings, would have been more interesting as a whole if participants had confined themselves less closely to the reading of set papers and if there had been freer range of informal discussion.

The one session in Washington which was devoted to historical addresses was opened by a suggestive paper from a federal official, Dr. Joseph A. Hill, chief of the Division of Revision and Results in the Census Bureau, on "The Use of Census Materials in American Economic and Social History". Dr. Hill confined himself to remarks on the schedules relating to population. The very first

<sup>1</sup> *American Political Science Review*, February, 1909.

census went somewhat beyond the mere constitutional requirement of a count of population, by introducing some details as to color and age, not essential to the purpose of congressional apportionment. The census of 1850 marks the introduction of the present method of recording the facts for each individual separately, and embraced a large variety of personal data. The Census Office is now publishing the names of the heads of families enumerated in the first census (1790). Classifying the population by origin, race or stock, on the basis furnished by these names, it hopes to contribute to our social history a better notion of the composition of the original population of the United States. For further instances, the original unpublished census schedules are capable of yielding much valuable information regarding the institution of slavery and regarding the American family; the nature of the data available was described in each case. The Census Office was established and made permanent in order to subserve the interests of statistical science, and indirectly the interests of history and sociology. It has in its archives a vast store of statistical data of probable value for purposes of historical and sociological investigation. The members of the American Historical Association, Dr. Hill observed, should be in a better position to judge of the historical value of these records than the Census Office itself. The achievements and personnel of the Association, he declared, warrant the statement that its influence is sufficient to secure any compilation of the earlier census data the historical value of which would justify the labor and expense. He was confident that any efforts on its part to promote the compilation of census data for historical purposes would meet with the most friendly co-operation on the part of the Census Office.

The remaining four papers of the morning were devoted to a consideration of the historical uses of American newspapers. Mr. William Nelson, corresponding secretary of the New Jersey Historical Society, and author of the chief compilation on our early newspapers, spoke on "The American Newspapers of the Eighteenth Century as Sources of History". Mr. James Ford Rhodes spoke on "The Use of Newspapers for the History of the Period from 1850 to 1877", the period for which, in his *History of the United States*, he has shown so masterly an example of their use. Mr. Talcott Williams, of the *Philadelphia Press*, discussed "The Use for Historical Purposes of the Newspapers of the Last Thirty Years", and Mr. Melville E. Stone, general manager of the Associated Press, gave a description and estimate of "Associated Press Dispatches as Materials for History".

The news in the earlier papers, Mr. Nelson admitted, was of slight account. Down to Stamp Act times, it is their advertisements which give them their chief historical value. He showed how interestingly the social history of that time is lighted up by the data which one finds in the newspaper advertisements and often nowhere else, on such topics as the development of means of communication, the distribution and growth of commerce, the improvement of dwellings and farms and orchards and stock, the progress of manufactures, the operation of stay laws and of issues of paper money, the costumes, characteristics and status of runaway servants and slaves, the fortunes and vogue of lottery projects, and the character of the books provided by bookseller or printer for colonial reading. From the conclusion of the French and Indian War a note of increased self-reliance is apparent, from the time of the Stamp Act a stronger interest in politics. The great events can be followed as well or better in other sources, but nowhere else can we gain so clear a notion of the character and development of public sentiment, or of the local meetings and measures by which agitation was maintained and made successful. The former is evidenced by a continued outpouring of communications, the latter by detailed reports. In the period of the Revolutionary war, something is to be gained from the newspaper accounts of battles and skirmishes, much more from the details they give of partisan warfare, local forays and reprisals, and the work of marauders and spies. Without such data we cannot understand the mutual feeling of Whig and Tory, the character of the Revolution as a partisan struggle, or the anti-Tory legislation of the period. Similarly, the communications and advertisements in the newspapers cast light on the economic results of the war, on the agitation for a better federal Constitution, and on the economic expansion which resulted from the increased confidence inspired by its ratification. With Washington's second administration the American newspapers enter upon a new era, marked by party effort and by the beginning of influential editorial writing.

Mr. Rhodes pointed out that the attitude of society to the newspaper is unsympathetic and that this affects to some degree the feeling of American historians when they consider the use of newspapers as historical materials, leading them to adopt an apologetic tone in justifying their employment. Yet taking the newspaper for what it is, with its virtues and its limitations, it seemed to him curious that an apology should be necessary for its use as historical material. For it is contemporary, written without knowledge of the

end, and its aim is to print the news which is present politics. If its relation is colored by honest or dishonest partisanship, that may be easily detected. For the history of the decade of 1850-1860 newspapers are indispensable for securing all the facts, and portraying the changing public opinion which is a prominent feature of those ten years. "As I based statement after statement upon newspaper authority, knowing that I was subjecting myself to criticism, I could not help thinking of the cogency of the remark, so well attested by a variety of examples, 'A modern newspaper statement, though probably true, if quoted in a book as testimony would be laughed at; but the letter of a court gossip, if written some centuries ago, is thought good historical evidence'." When we test newspaper evidence as we do all other evidence, taking into account the general situation, the surrounding influences and the individual bias of the journalist, we shall find it excellent authority, contributing to a vivid narrative. This is especially so for the decade of 1850-1860, when it is well worth while to have the statements and opinions of such great journalists as Greeley, Dana, Bryant, Bigelow, Webb, Bowles, Thurlow Weed, Schouler and Medill. For the history of the Civil War the newspapers, so far as the Northern side is concerned, are less important. The story of campaigns and battles is better told in the *Official Records*. The Southern newspapers however give many useful political facts nowhere else to be found, and they reflect admirably Southern society, peculiar in that it was cut off from intercourse with the outer world owing to the efficient Federal blockade. In the history of Reconstruction, the historian may be to a large extent independent of the daily newspaper. Reconstruction was the work of Congress, and its debates, reports and acts are the essential things. To sum up, "The duty of the historian is not to decide if the newspapers are as good as they ought to be, but to measure their influence on the present and to recognize their importance as an ample and contemporary record of the past".<sup>2</sup>

Mr. Williams declared that while the daily newspaper of the past thirty years considered as historical material had become less valuable in its record of the formal acts, events and measures of society, it had become more valuable than ever in recording the public influences and environment which create these acts. Debates, laws, official reports, decisions, investigations, elections, primaries and much else of this character were given with relatively greater fulness in newspapers before 1880 than since. Class journals now

<sup>2</sup> The full text of Mr. Rhodes's paper is to be printed in the *Atlantic Monthly* for May, 1909.

give much that was once in the daily. For iron, the historian will go to the *Iron Age*. For railroad accidents before 1880, he has no record but the newspaper. For accidents since, he will turn to technical journalism and official reports. Strikes before 1878 appear in the newspapers and court decisions. Since, their fullest record is in labor journals, state and federal labor reports, investigations and court decisions. But while giving less space and a less exclusive record for these and their like, the newspaper is a better record than ever before of the antecedent conditions which decide elections and cause laws. Compare the war of 1812 and the Spanish war. The official records of the latter are far more complete. But in ascertaining the public opinion which brought on each war, the newspaper in 1898 mirrors the public far better than in 1812. Newspapers do not summarize as well as they once did. They give atmosphere and color better. But meanwhile the bulk of a newspaper has grown three-fold in thirty years and ten-fold in sixty years. The files of a newspaper for thirty years past would fill about five thousand octavo volumes heterogeneous and unindexed. This bulk renders their use impracticable without inordinate labor. Historical societies instead of merely preserving newspaper files, should preserve clippings arranged in envelopes by subjects, making the record of the day accessible for the future. This could be done for about \$600 a year, as was shown by the experience of the writer in a collection of 300,000 clippings.

Mr. Stone prefaced his discussion of the relation of the Associated Press dispatches to the history of our time with the reminder that more newspapers are published in this country than in all the rest of the world, and that the education provided by these journals, though far from being education of the best sort, is practically the sole education afforded to the great mass of our adults. He described the scope and mutual relations of the four great press agencies of the world—the Reuter, the Wolff, the Agence Havas and the Associated Press—and the special American bureaus which the latter maintains at all the great capitals of the world, and then proceeded to elucidate the system employed for the gathering of news within the United States by this great co-operative organization of eight hundred American newspapers.

At Richmond the first paper presented before the Association, and the only one listed upon the programme for Tuesday evening, was the presidential address of Professor George B. Adams, on "History and the Philosophy of History". This has already been printed, in the January number of this journal.

The next morning was occupied with two simultaneous conferences, the one consisting of those interested in the Relations of Geography to History, the other of those interested in the Teaching of History in Secondary Schools. The geographical conference took for its special theme the relations of the geography of the Southern Atlantic states to their history. Its chairman, President Edwin E. Sparks of Pennsylvania State College, opened the conference by remarks on the growth of interest in American geography as an element in the development of American historical writing. The progressive occupation of the Western continent by civilized man being the paramount theme of the first four centuries of American history, we find geography, and especially physiography, necessary at every step to its understanding, and must congratulate ourselves that these factors are being subjected to more and more thorough study.

Professor Charles H. Ambler of Randolph-Macon College exemplified the methods through which the history of sectionalism in Virginia might be pursued, by a special study of the geographical environment which helped to give direction to the early career of Patrick Henry, indicating particularly how his position in Hanover County, between the tidewater aristocracy and the frontiersmen, enabled him to take the lead of the latter in breaking down the control which the former had hitherto maintained over the colony. The next paper, by Professor John S. Bassett of Smith College, bore on "The Influences of Coast Line and Rivers on North Carolina". Commenting on some of the results which in all the Southern Atlantic states flowed from the imposition of boundaries unrelated to physical areas, he argued that the James River on the one hand and the Cape Fear River on the other were centres of natural states, with Albemarle Sound as the logical dividing line between them; that the area north of that line ought to have been made a part of Virginia, whose older society would have restrained its early rudeness; that in that case the Cape Fear region would probably have been settled in the seventeenth century and have given independent character to a strong colony; and that the result of the actual boundaries had been till the industrial developments of the last forty years, first to isolate North Carolina society and then to bind the state, through the Albemarle influence, to Virginia.

In the discussion which followed the reading of these papers, Professor Turner of Wisconsin pointed out that often the political history of a minor division of America is misunderstood or deemed erratic because that division consists of diverse and balanced sec-

tions and has not been analyzed. Now that a fair number of studies of sections had been carried out, he urged the importance of correlating them and of thinking in terms of economic areas rather than of states. Thus, by bringing together the results of studies of up-country and low-country in Virginia, North Carolina and South Carolina, we learn the existence of *two* Souths, the history of their struggles in respect to representation, transportation, the tariff, etc., and of the development of Southern society through the mutual interaction of areas and provinces. Professor Burr of Cornell emphasized some of the cautions needful in such studies as had just been presented, and the danger in regarding geography as anything more than a factor in human development.

The conference on History in Secondary Schools, with especial reference to the Report of the Committee of Seven, was presided over by Professor McLaughlin of the University of Chicago, who stated some of the chief problems in this field.

Professor Lee Bidgood, of the State Female Normal College at Farmville, Virginia, suggested that more attention might be paid in high schools to the history of Latin America, and to industrial history, and that civics should be a separate course. The most troublesome problems in method were connected with the use of the note-book, historical novel and topics for search. There was need of additional and more elementary text-books of ancient history, the simplification of courses in medieval and modern history, more stories and facts and fewer generalities. Mr. J. G. Croswell, of the Brearley School, also dwelt upon the need of story-telling, and proposed a three-year course in stories, followed by a three-year course with a simple text-book and a two-year course in rationalized professional history. Mr. Robert A. Maurer, head of the department of history of the high schools of Washington, believed that ancient history must be vitalized by teaching more of the life and civilization of the times, by making more of biography, and by using the vast supply of available illustrative material. Instead of one year of general European history, and one year of English history, there should be a two-year, one-book European history course, which would give opportunity for thoughtful study. Mr. E. S. Noyes of the Central High School of Washington pleaded for longer courses on shorter periods, and for more concrete treatment than is usual in text-books of ancient history. The course in ancient history should be shortened and given unity, by being confined either to the study of governmental and political development, or to that of civilization and mode of life. Mr. J. Herbert Low of the Manual

Training High School of Brooklyn urged the importance of teaching history so as to show the relation of the modern man to his environment. Especially in the large cities, where aliens are numerous, ample time should be given to American history and civics.

Professor MacDonald of Brown University spoke from the standpoint of one interested in history as a subject for examination for admission to college. He thought it a mistake to extend ancient history down to 800, believed that the field of medieval and modern history is too vast to be dealt with properly in an examination paper, and that the association of civics with American history has been disadvantageous. It is impracticable to examine collateral reading under present usage. The history text-book of today is vastly superior to that of ten years ago and much more respect is to be accorded to it.

Professor Lucy M. Salmon of Vassar College made an appeal for more knowledge of ancient history on the part of teachers both in colleges and secondary schools. Instead of shortening the course in ancient history, there should be a change in emphasis in teaching it. Ancient history should be connected with modern life. Origins should be studied, and perspective gained. Colleges have not taught ancient history properly and have made too much of the entrance examination.

Professor Morse Stephens of the University of California agreed with Miss Salmon. He thought that the course in medieval history should begin not with destruction but with construction. The children should learn in broad outline how antiquity came into existence and how it disappeared. Modern history should end in 1815 or at latest in 1848. American colonial history should be taught in the high schools as part of English history.

Professor C. H. Haskins of Harvard University remarked that the Committee of Seven had pointedly disapproved an inflexible régime, but that the College Examination Board seemed to favor it. It has been attempted to shorten ancient history at the end, but it might be shortened in the middle. Why not start with the Punic wars and avoid the hypothetical development of the early Roman Republic? By prolonging Roman history to 800 the pupil feels the continuity of Rome, as in the Church and in the East. The meaning of Greek and Roman history is shown.

A few words must be spared for the transactions of two allied societies which met on the forenoon and afternoon respectively of this same day. The programme of the Mississippi Valley Historical Association, which proposes each year to hold one of its two semi-

annual meetings in conjunction with the annual meeting of the American Historical Association, included four papers. That of Dr. Clarence E. Carter of Illinois College on "Trade Conditions in Illinois, 1765-1768", related to the vain efforts made by British officials to divert the trade of the newly-acquired territory from New Orleans and cause it to flow up the Ohio. That of Professor St. George L. Sioussat of the University of the South, on "The North Carolina Cession of 1784 in its Federal Aspects", aimed at showing how the action of that state in ceding to the Confederation a portion of its western lands and in speedily repealing that cession stood related to the adjustment of its claims against the Confederation for its Revolutionary expenses, to proposed amendments to the Articles of Confederation, and to Robert Morris's projects respecting federal taxation. Professor Harlow Lindley of Earlham College followed with a paper on the service of William Clark as Indian agent and superintendent of Indian affairs, 1807-1838, dwelling especially on his negotiations during the war of 1812, and on those relating to Indian lands and Indian trade, and commending highly the power, tact and success which marked his dealings. Finally, Professor Frank H. Garver of Morningside College discoursed on "The Story of Sergeant Charles Floyd", member of the Lewis and Clark expedition and author of the well-known journal. The meeting of the Bibliographical Society of America was marked by papers on the official publications of the Confederate States, by Dr. J. William Jones, secretary of the Confederate Memorial Literary Society, Dr. H. R. McIlwaine of the Virginia State Library and Mr. Hugh A. Morrison of the Library of Congress, and by a paper by Mr. J. H. Parr of the last named library, on early printing in Virginia.

The evening session of the Historical Association, attended by a large audience, was devoted to four papers of striking excellence in European history. The first, that of Professor Haskins of Harvard, on "Normandy under William the Conqueror", appears in an expanded form in the present number of the *REVIEW*. It is expected that at a later time we shall have the pleasure of printing, in some form, that which was read by Professor Ernst Daenell of Kiel, on "The Leading Ideas of the Hanseatic Commercial System". The third was by Professor Oliver H. Richardson of Yale, on "Religious Toleration in Brandenburg-Prussia under the Great Elector and its Material Rewards". He demonstrated that in the development of the Prussian state religious toleration was both a political and an economic necessity. Annexations of territory and their

assimilation would have been impossible without it; it alone rendered feasible that policy of inner colonization which became in such abundant measure the source of the material power of the state through increase of population and the development of agriculture, industry and commerce. The adoption of the Reformed creed by the electors is the decisive factor in this evolution, for it alone insured the employment and permanence of a tolerating policy. The Great Elector is the central figure, for he became the founder of the tolerating state, thereby securing for all time the possibility of the colonizing policy, and he gave the initial impetus to that great movement. After describing the fundamental principles of the Great Elector's ecclesiastical polity at home and abroad, with particular reference to the establishment of toleration and the introduction of the religiously oppressed as colonists, Mr. Richardson discussed the effect of inner colonization upon population and the development of political greatness. The contrast between the tolerant policy of Brandenburg and the intolerant policy of Catholic Austria and Lutheran Saxony led, through inner colonization, to a disproportionate increase of the power of their tolerant rival. Comparative statistics of population in Saxony, Hanover and Brandenburg-Prussia show this. The concluding portion of the paper, based upon unpublished manuscripts in the Geheimes Staatsarchiv in Berlin, dealt with a little-known and finally unsuccessful attempt to introduce colonists from England in 1684-1685. It was accompanied by an attempt to make inner colonization, through the agency of English "Interlopers", tributary to foreign colonization, by means of the establishment of a Brandenburg East India Company, and was connected with an intrigue with the partisans of Monmouth. The evening session was closed by a paper by Professor Charles W. Colby of McGill University, entitled "Chatham, 1708-1908", which we expect to be able to print in our next issue.

Of the exercises of the last morning of the session, the conference of those interested in the work of state and local historical societies took place in the hall of the House of Delegates, in the historic Capitol of Virginia, Professor Evarts B. Greene of the University of Illinois presiding. Professor Sioussat, secretary of the conference, read the customary review of the year's progress in legislation for the benefit of historical societies and departments, in building and endowment, in publication and research. Dr. Dunbar Rowland of Mississippi read the report of the committee of seven of which he is chairman, appointed a year before to consider co-operation among historical societies and departments, especially

in the exploiting of the French archives for purposes of Mississippi Valley history. There is certainly no field in which co-operation among historical agencies is more obviously the appropriate course to follow. Since these French documents relate to the region when it was undivided, the task of preliminary dealings with them is a task common to all the historical institutions of the region; separate search or listing by each state or society, each making more or less effort to confine itself to its special area, cannot fail to result in unevenness, duplication and waste of money. The committee, while advocating photography rather than copying as the ultimate procedure, recommended that both should whenever possible be deferred till an itemized list or brief calendar of all documents in the French archives relating to the Mississippi Valley has been prepared. It reported a plan whereby, if sufficient subventions are obtained from the organizations interested, such a calendar shall be prepared under general supervision given by Mr. Waldo G. Leland of the Carnegie Institution during the time of his next mission to Paris on behalf of that institution. Before the conference adjourned, provisional assurances of support were given in sufficient number to make success probable; the committee was continued, and charged with the completion of the preliminary arrangements.

Mr. W. G. Leland followed with a paper on the Applications of Photography to Archive and Historical Work. First describing some of these applications, such as the restoration of defaced documents, the preservation of those that have begun to disintegrate, the collection of specimens of handwriting, the detection of erasures, and the making of absolutely accurate copies, the last the most important, he devoted the remainder of his paper to the technical exposition of two distinct methods of securing photographic copies of documents at a moderate cost, in many cases not greater than that of handwritten copies. The one process, involving the use of a small camera and subsequent enlargement, was especially adapted to the needs of travelling scholars; the other, the white-black process of the Abbé Graffin, to the securing of working copies where only one copy is desired. The speaker urged that every depository of manuscript should be furnished with some sort of photographic installation.

The conference was concluded by a paper by Mr. Albert C. Myers on Historical Exhibitions. After some words on the history of such exhibitions in Europe and America, he spoke more in

detail of the historical exhibits maintained at the Jamestown Exposition of 1907, and especially of those prepared by Professor M. D. Learned and himself, as commissioners for Pennsylvania, and showed many photographs and four large maps prepared to indicate the development of population and its racial elements in Pennsylvania from 1660 to 1735. Mr. Myers urged that historical exhibits should always be arranged with definite purposes in mind; the most legitimate of these he believed to be the exposition of social and other conditions at stated periods.

Three other practical conferences took place at the same time, composed respectively of those interested in Research in English History, in American Colonial and Revolutionary History, and in that of the South. Of these the first seems the most likely to take effect in immediate practical results of great importance. In opening this conference its chairman, Professor Edward P. Cheyney of the University of Pennsylvania, referred to three subjects as profitable for discussion: neglected fields of English historical research; a bibliography of modern English history; the need of closer union between the professed students of English history and students of the history of English literature, of English church history, of English economic history and still other phases of the subject. The conference was chiefly devoted to the second subject, but a topic in the field first mentioned was treated in a paper on the use of Old Norse Sources in English History, by Dr. Laurence M. Larson of the University of Illinois. A close connection existed for centuries between the Saxons and the Norse colonists in the British Isles, especially with those of the Danelaw. Our knowledge of the Danelaw is defective; a careful search in the Old Norse sources would clear up a number of disputed points. The Eddic poems, originating in the century when the Danelaw was founded, have direct significance for English history. Attention was also called to the possibilities of research in Scandinavian law, and to the value of the sagas relating to the Danish conquest and Cnut, in a period for which the English sources are incomplete or strongly partisan.

The remainder of the conference was devoted to discussion of the possibility and character of a bibliography of modern English history, continuing from 1485 that of Gross, and prepared by co-operation of scholars. Dr. Frances G. Davenport of the Carnegie Institution, dealing with the field of English diplomatic history and holding that any proper bibliography should in this field take account

of unprinted as well as of printed sources, described the chief classes of manuscript material for her subject in public and private repositories. She maintained that, for similar reasons, a brief description of the chief Continental archives and libraries should be included in a bibliography of modern English history.

Professor Ralph C. H. Catterall of Cornell University pursued the discussion with a comprehensive account of the need and plan of such a bibliography. He believed that it should be select and restricted to printed material, including pamphlets and articles, excluding the colonies except as their history directly concerned Great Britain, and treating almost as fully of economic and ecclesiastical history as of narrative, political and constitutional history. It should contain notes descriptive of the contents of books, and critical estimates with references to important reviews. The work should be produced by collaboration under the supervision of a general editor with specialists in charge of the various chronological periods.

Professor Roger B. Merriman of Harvard spoke of the probability of English co-operation in the proposed undertaking. The typewritten syllabus of the bibliographical lectures delivered by Professor Firth at Oxford afforded an admirable nucleus for further work in seventeenth-century bibliography. He felt sure that English historical scholars would be far more eager to help than to criticize any adequate scheme. Sentiment as well as practical expediency dictated the adoption of an arrangement similar to that of Professor Gross's *Sources and Literature*.

Professor Arthur L. Cross of the University of Michigan proposed as a supplementary project the preparation of detailed lists of the material on English history contained in the more important libraries in the United States, and possibly of Great Britain. Such lists should be prepared under the supervision of a committee of the American Historical Association and published, preferably by the Association or by the Bibliographical Society of America. Professor Ernest C. Richardson, librarian of Princeton University, pursued this suggestion. He showed how librarians were co-operating by check-lists indicating in what libraries books were and agreeing among themselves who should purchase those books not in any of the American libraries. Such a list is in preparation for collections of European historical sources. Co-operation with English workers has been entirely practicable in the Library Associations. For undertaking such a manual no agency is so appropriate as a special committee of the American Historical Association.

Mr. W. Dawson Johnston, librarian of the Bureau of Education, believed that an elementary work is more desirable than a comprehensive one, the publication of it more practicable, and the organization of a staff for the preparation of it an essential step towards the preparation of the more comprehensive bibliography. He also spoke of the importance of recording the literature of different phases of national activity, *e. g.*, the history of education. Professor James F. Baldwin of Vassar College suggested that the bibliography be limited in the main to the period from 1485 to 1688, a proposal which was strongly supported by Professor Haskins.

The conference adopted a resolution, introduced by Mr. Richardson, that the Council of the American Historical Association be requested to appoint a committee to secure the preparation of a bibliographical introduction to modern English history in which at least the sixteenth and seventeenth centuries should be treated on the same general lines as Professor Gross's work, and if practicable to secure the co-operation of English historians in this work.

The conference on research in American Colonial and Revolutionary History was opened by its chairman, Professor Herbert L. Osgood of Columbia University, who read a very comprehensive statement of the principal unsolved problems of the period of the French Wars. The first requisite is a comparative study of the development of the colonies as institutions of government during the early eighteenth century, *e. g.*, the relations between the assemblies and the executive. Among other problems are: the expansion of settlement and accompanying agrarian and religious developments; colonial systems of defence; Indian relations; the internal social history of Pennsylvania and New York; the origin and composition of political groups; the part borne by the British officials and boards in all branches of colonial administration; the spirit of British administration in general at this period; parliamentary activities; the whole policy of imperial defence; the means by which communication was maintained between the authorities in England and representatives of the crown in America; the work of colonial agents; royal instructions; and, of especial importance, the early history of American law.

The opportunity for research in the economic history of the colonies in the eighteenth century was discussed by Dr. George L. Beer, who after referring to the difficulties of investigating this field, and the slight extent of its cultivation, showed that it might be approached either as the beginning of a great industrial state,

or as part of an imperial system. Among the many subjects needing investigation are: the various provincial financial systems; the systems of land grants; the financial relations of the colonies to the mother country; the rise of manufactures; and many questions connected with the slave trade. More closely connected with imperial history are such questions as the relation between attempts to develop Scottish commerce and the Union of 1707; the effect of confining enumerated colonial exports to the mother country, in the light of the conditions actually prevailing in business life; the political history of the laws of trade and navigation; the English fiscal system in its relation to colonial commerce; and intra-imperial financial relations.

Professor Charles M. Andrews of Johns Hopkins University discussed the documentary records of British colonial administration. He took up first the material accumulated by the Privy Council, then the papers of the secretaries of state and the departmental records, and finally the various miscellaneous collections in the Public Record Office. He attempted to point out not only the significance of these records as helping to solve many of the problems mentioned by Professor Osgood and Dr. Beer, but also their importance in throwing light upon the actual working of the British machinery of control in the seventeenth and eighteenth centuries—a subject largely neglected by students of colonial history. He explained, as far as is possible at the present time, the nature of the changes now being made in the classification of the Home Office and Colonial Office papers, and showed the relation of these changes to the old system of reference. He also mentioned many undertakings, in the way of compiling series and lists, that might well gain the attention of American students.

Professor Charles H. Hull of Cornell University called attention to the fact that the same sort of governmental and commercial problems were presented in the West Indian colonies as in the American colonies. The West Indies should be intimately associated with the history of the American colonies in making any comprehensive study of the British colonial system. The islands were on the route of commerce between the colonies and the mother country, and such products as sugar, cotton and tobacco were a great source of revenue; they had a vigorous political life, and most of the controversies and questions which came up in the American colonies—such as the struggle between the governors

and the anti-royal party, and commercial difficulties—also came up in the West Indies.

Professor Claude H. Van Tyne of the University of Michigan discussed the work which the general historian would wish to have done in the field of the Revolutionary War. The military and personal history is the most completely done, though studies of the activities of a number of members of the Continental Congress are needed. The finances of states and the financial relations of Congress with them need much investigation, and the industrial history is almost untouched. Other worthy subjects of study are: the administration of governors and the factional politics within the states; the relations of the governors and legislatures of states with Congress; state constitutional conventions and the conflicting forces therein; interstate quarrels; the policy of Congress as to the use of Indians, and the work of a number of its committees. The social history of the Revolutionary period is an especially unworked field, wherein the religious changes, the results of the changes in land tenure, the amelioration of the criminal code, are much in need of study.

The conference on research in Southern History was presided over by President Lyon G. Tyler of the College of William and Mary. Mr. Douglas S. Freeman of the Southern Historical Manuscripts Commission spoke on the official materials for the history of the Confederacy, the destruction or recovery of records and documents, and the nature and scope of the collections now known. Professor C. H. Ambler read a paper on Political Conditions in Virginia on the Eve of Secession. After some discussion of the efforts made in educational, religious and economic matters, during the years immediately preceding secession, to unite all Virginia in the cause of slavery and of Southern solidarity, Mr. Ambler showed by a detailed description of the political contests of 1859 and 1860, the struggles of Henry A. Wise and R. M. T. Hunter, how the sectional interests of eastern and western Virginia made it impossible to hold the state permanently to united action.

Miss Julia A. Flisch of the University of Wisconsin, in a paper on the Common People of the Old South, deprecated the habit of magnifying unduly the influence of aristocracy in the South, and advocated a fuller attention to the influence and power of the democratic masses, a body of population having greater persistence and a stronger reserved force than the higher classes. It did not follow blindly the leadership of the latter but on the contrary deter-

mined in great measure the limits and conditions to which the leaders must conform.

In the discussion which followed the reading of these papers, Mr. Thomas M. Owen of Montgomery spoke of the work of Southern historical societies and departments, Professor Turner of the need of deeper study of the social, religious and industrial history of the Old South, President Tyler and Mr. C. G. Chamberlayne of the value of county and church records respectively.

Doubtless the most interesting session was that of the last evening, when, in the presence of a large audience, including many Confederate veterans of the Civil War, one of the great Virginia campaigns of that war was discussed from three different points of view—that of a Confederate brigadier-general, chief of ordnance in Longstreet's corps, that of a retired colonel in the United States Army, Westpointer of 1865, and that of a major in the present General Staff and lecturer in the Army War College. The arrangement was that Grant's Conduct of the Wilderness Campaign should be discussed by General Edward P. Alexander, C.S.A., Lee's Conduct of the Wilderness Campaign by Colonel William R. Livermore, U. S. A. retired, and the Wilderness Campaign from our Present Point of View by Major Eben Swift, U. S. A. The occasion was not without dramatic interest. When the American Historical Association was founded, few would have thought that in twenty-five years, and when the Wilderness Campaign was only forty-five years in the past, it would have been possible for an audience of Northern and Southern scholars, in the capital of the Confederacy, to join in listening to such a discussion without a trace of mutual embarrassment or even the sense of strangeness.

General Alexander opened his narrative at the time when Grant took the aggressive in his campaign against Lee. Commenting upon the division of Grant's army, a part of which, the Army of the Potomac, was under Meade, and a part, the Ninth Corps, under Burnside, and upon the familiar evils of division, General Alexander declared his belief that, but for the delays resulting from an organization thus defective, Grant would have gone beyond the fields both of the Wilderness and of Spottsylvania into the open country. In that case, there would have been no battles of the Wilderness and Spottsylvania but probably a battle on a line behind the North Anna. Grant virtually lost the first battle by his faulty organization; Lee won it by bringing Longstreet into the action just in the nick of time. It is a little surprising that Grant, having the initiative

and the greater force of artillery, did not make a greater effort to get himself clear of the Wilderness before he encountered Lee's army. Finding it where he did, he at once took the aggressive with such vigor that had he had sufficient daylight he would have made Lee regret his mistake in locating his supporting infantry under Longstreet behind his left flank instead of behind his right. General Alexander commented particularly on the fighting on the morning of May 12 in which the Union generals Cutler and Griffen reported their men to have been engaged for three or four hours. Comparison of some official reports that have been printed, and the strange absence of others, leads to the conjecture that the engagement was one of Union troops against Union troops.

Colonel Livermore, after a sketch of the general situation at the opening of the campaign, and a review of the combatants, Union and Confederate, whose force he estimated in the proportion of 100 to 60, entered upon a detailed account of the campaign, impossible to summarize briefly. The chief flaw which he found in Lee's brilliant strategy lay in the acceptance of the sharp salient at Spottsylvania Court House. That he fought chiefly behind intrenchments was indeed a great advantage, but it was an advantage due to his own superior skill. Lee's campaign was a most masterly one, and few campaigns of any commander afford a more profitable field of study for the military historian.

Major Swift illuminated his paper with many instructive comparisons. The battles of the present day are fought by soldiers who shoot five times faster, five times farther, and five times more often than the soldiers who fought in the Wilderness Campaign. Grant's line of battle may be estimated, in the battle of the Wilderness, at thirteen men to each yard of front, Lee's at nine, while at Liao Yang the Japanese attacked with a front of about three and a half men to the yard. In length of duration and in the percentage of men killed the comparison is more nearly equal. The speaker showed how a modern campaign in such a *terrain* would probably be conducted. Of Lee's generalship, he declared that Lee stood alone as a general of Napoleonic type, and that his originality was especially shown in this campaign, when he sought battle in a forest. "None of the great soldiers before him probably encountered as dangerous an adversary as Grant, and none of them, except Hannibal, and Napoleon in the last two years, were opposed to soldiers as good as their own. The odds of numbers were greater against Lee in the Wilderness Campaign than they were

against Napoleon in the Waterloo campaign. But Lee had his army at the end and Napoleon's disaster was complete."

It remains to speak of the business meeting of the Association, in which its various activities were reported upon. It having been already agreed that the annual meeting of December, 1909, shall be held in New York, in conjunction with the American Economic Association, the American Political Science Association and the American Sociological Society, it was now voted, on recommendation of the Council, that the meeting of December, 1910, should be held in Indianapolis. Upon the retirement of Mr. A. Howard Clark from the office of secretary, resolutions were passed expressive of gratitude for his generous services as assistant secretary from 1889 to 1900 and as secretary from 1900 to 1908. The constitution was so amended that hereafter, instead of secretary and corresponding secretary, the two secretaries will be respectively entitled secretary and secretary of the council, the secretary being charged to care for the general correspondence and the roll of membership, to see the *Annual Reports* through the press and to distribute them to members, the secretary of the council to perform the functions implied in his title.

The policy of issuing at the cost of the Association, in a series of volumes outside the *Annual Reports*, the essays to which the Winsor and Adams prizes are awarded, was definitely adopted. Contestants are advised that the standing committees on those prizes will soon introduce into the rules of award some modifications appropriate to the new departure. The first volume to be issued will be Dr. Edward B. Krehbiel's essay on The Interdict under Innocent III., the second, that of Professor Clarence E. Carter of Illinois College on Great Britain and the Illinois Country, 1763-1774. The latter was awarded the Justin Winsor prize at the present meeting; honorable mention was given to the essay of Dr. Charles H. Ambler of Randolph-Macon College, on Sectionalism in Virginia, 1776-1861.

The acting secretary reported a total membership of 2052, exclusive of those delinquent in the payment of dues. The treasurer's report showed net receipts of \$8038, net expenditures of \$6878, an increase of \$1160 in the funds of the Association, and total assets of \$26,084.

Brief reports were made on behalf of the Pacific Coast Branch, the Historical Manuscripts Commission (on the diplomatic archives of the Republic of Texas), the Board of Editors of this journal, the

Committee on Bibliography, the Committee on Publications, the General Committee, the editor of the "Original Narratives of Early American History", and the Committee of Eight on History in Elementary Schools, whose report is now in the hands of the printer. The Public Archives Commission reported that it had in hand manuscript reports on the archives of Maine, Missouri, the state of Washington and the older counties of Virginia, and expected soon to receive others, on California, Illinois and West Virginia. It had also nearly ready a list of the council-journals, assembly-journals and statutes of the thirteen colonies. An important new activity has been added to those already undertaken by the Association, through the appointment by the Council of a committee on the preparation of a bibliography of modern English history, in pursuance of the recommendation made, as above mentioned, by one of the conferences. This committee is to consist of Professors E. P. Cheyney, chairman, R. B. Merriman, A. L. Cross, Williston Walker (it is hoped) and E. C. Richardson.

Complimentary resolutions of the usual character were presented by a committee of which Dr. Charles L. Wells of New Orleans was chairman. The committee on nominations, Professors Andrews, Cross and Mace, proposed a list of officers, all of whom were chosen by the Association. Professor Albert Bushnell Hart was elected president for the ensuing year, Professors Frederick J. Turner and William M. Sloane vice-presidents. Mr. Waldo G. Leland was elected secretary, Professor Charles H. Haskins secretary of the council, Dr. Clarence W. Bowen treasurer, and Mr. A. Howard Clark curator. In the place of Professors Andrews and Robinson, who had served three terms in the Executive Council, Professors Evarts B. Greene and Charles H. Hull were chosen.

#### OFFICERS AND COMMITTEES OF THE AMERICAN HISTORICAL ASSOCIATION

<i>President,</i>	Professor Albert Bushnell Hart, Cambridge.
<i>First Vice-president,</i>	Professor Frederick J. Turner, Madison.
<i>Second Vice-president,</i>	Professor William M. Sloane, New York.
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*Treasurer*, Clarence W. Bowen, Esq., 130 Fulton Street, New York.

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*Executive Council* (in addition to the above-named officers):

Hon. Andrew D. White, <sup>1</sup>	Professor John B. McMaster, <sup>1</sup>
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Henry C. Lea, Esq., <sup>1</sup>	Professor Evarts B. Greene,
Professor Goldwin Smith, <sup>1</sup>	Professor Charles H. Hull.

*Committees:*

*Committee on Programme for the Twenty-fifth Annual Meeting:*

Professor James T. Shotwell, Columbia University, chairman; Max Farrand, Charles H. Haskins, Thomas W. Page and Frederic L. Paxson.

*Local Committee of Arrangements for that Meeting:* Professor William M. Sloane, Columbia University, chairman; John Bigelow, Clarence W. Bowen, Nicholas Murray Butler, Mrs. Robert Abbe and Miss Ruth Putnam.

*Editors of the American Historical Review:* Professor George B. Adams, Yale University, chairman; George L. Burr, Albert Bushnell Hart, J. Franklin Jameson, Andrew C. McLaughlin and William M. Sloane.

*Historical Manuscripts Commission:* Worthington C. Ford, Massachusetts Historical Society, chairman; Herbert D. Foster, Gaillard Hunt, Thomas M. Owen, Ulrich B. Phillips and James A. Woodburn.

*Committee on the Justin Winsor Prize:* Professor Charles H. Hull, Cornell University, chairman; John H. Latané, Theodore C. Smith, Claude H. Van Tyne and Williston Walker.

*Public Archives Commission:* Professor Herman V. Ames, University of Pennsylvania, chairman; Charles M. Andrews, Clarence S. Brigham, Carl P. Fish, Herbert L. Osgood, Victor H. Paltsits and Dunbar Rowland.

*Committee on Bibliography:* Professor Ernest C. Richardson,

<sup>1</sup> Ex-presidents.

- Princeton University, chairman; Appleton P. C. Griffin, William C. Lane, James T. Shotwell and Wilbur H. Siebert.
- Committee on Publications:* Professor William A. Dunning, chairman; Herman V. Ames, George L. Burr, Worthington C. Ford, Charles H. Haskins, Charles H. Hull, J. Franklin Jameson, Waldo G. Leland and Ernest C. Richardson (all *ex officio*, except the chairman).
- Committee on the Herbert Baxter Adams Prize:* Professor George L. Burr, Cornell University, chairman; Guy S. Ford, Charles Gross, James W. Thompson and John M. Vincent.
- General Committee:* Professor St. George L. Sioussat, University of the South, chairman; Julian A. C. Chandler, William E. Dodd, Earle W. Dow, Walter L. Fleming, Miss Susan M. Kingsbury, Waldo G. Leland, Orin G. Libby, William E. Lingelbach, Franklin L. Riley, Miss Lucy M. Salmon, George C. Sellery, Frank H. Severance, Benjamin F. Shambaugh and Frederick G. Young.
- Committee on History in Secondary Schools:* Professor Andrew C. McLaughlin, University of Chicago, chairman; Charles H. Haskins, Charles W. Mann, James H. Robinson and James Sullivan.
- Committee on a Bibliography of Modern English History:* Professor Edward P. Cheyney, University of Pennsylvania, chairman; Arthur L. Cross, Roger B. Merriman, Ernest C. Richardson and Williston Walker.

## NORMANDY UNDER WILLIAM THE CONQUEROR<sup>1</sup>

THE Anglo-Norman state of the twelfth century is one of the most interesting phenomena in the history of European institutions. Whether in the extent and cohesion of its territory, in the centralized authority of its rulers, or in the precocity and vigor of its administrative system, whose many-sided activity can still be traced in writ and roll and exchequer record, the Anglo-Norman kingdom finds no parallel in the western Europe of its time. Moreover, on its institutional side at least, it was no local or temporary affair. Themselves the product of a variety of elements—Anglo-Saxon, Danish, Frankish, not to mention the more immediate Norman and Angevin—the contemporary influence of Anglo-Norman institutions extended from Scotland to Sicily, while their later outgrowths are to be seen in the imitation of Norman practices by the kings of France, as well as in the whole fabric of English government.

Of the two sets of institutions which were suddenly brought together in 1066 and continued side by side under the same rulers for a century and a half, those of Normandy are much the more obscure. It is not, of course, implied that investigation of the Anglo-Saxon period has reached its limits: within a dozen years the labors of Maitland and Liebermann, of Round and Vinogradoff—to mention no others—have shown what can be done, and what remains to be done, by a more scientific study of the Domesday survey and the legal sources and by a wider view of the relations of England to the Continent, and the next few years are likely to see considerable additions to our knowledge in these directions. Still the mere mention of these scholars and the sources which are at their disposal shows the great advantage of England over Normandy, both before and after the Conquest. It is only natural that the history of Normandy should generally have been approached, as in the classic researches of M. Léopold Delisle, from the point of view of France rather than of England, and although it is forty years since Professor Brunner first showed the way to a broader study of Anglo-Norman legal history, little has been done to apply his method to new materials and other problems. The paucity of

<sup>1</sup> A summary of this article was read before the International Congress of the Historical Sciences at Berlin in August, 1908, and before the American Historical Association in December, 1908.

sources is, of course, the great obstacle. Normandy has no Domesday and no dooms. Its earliest law-book, the older part of the *Très-Ancien Coutumier*, dates from the very end of the twelfth century, and while there are indications of the existence of a distinctly Norman body of custom before 1066,<sup>2</sup> the only formulation of the law of the Conqueror's day is a brief statement of certain of the ducal rights drawn up four years after his death by order of his sons.<sup>3</sup> There is almost no contemporary evidence for the tenth century, and although Dudo of St. Quentin is useful so far as he reflects the conditions of his own age, for the greater part of the eleventh century we have only narratives put together two or three generations later.<sup>4</sup> Our main reliance must be upon the charters, and even here, such has been the destruction of Norman records, the body of materials is less than for contemporary England or for such adjacent regions as Anjou and Flanders, and is especially small for the earlier part of the Conqueror's reign.<sup>5</sup> A large part of this documentary material is still unprinted and unsifted, but the systematic study of the diplomatic sources of Anglo-Norman history is now being attacked from three sides—by M. Ferdinand Lot for the early dukes, by Mr. H. W. C. Davis for the English charters from the Conquest to 1154, and by the author of this paper, with the assistance of the Carnegie Institution of Washington, for the Norman charters from the accession of William I. to the point where M. Delisle's great work on the acts of Henry II. is to begin.

<sup>2</sup> "Donavi apud Argentias leuam iuxta morem patriae nostrae." Charters of Robert I. for Fécamp, preserved in the original in the Musée de la Bénédictine at Fécamp, nos. 3 bis, 4 bis. "Consuetudines quoque et servicia omnia que de terra exeunt secundum morem Normannie." Charter of William I. for Mont St. Michel, 1054, in Delisle, *Histoire du Château et des Sires de Saint Sauveur-le-Vicomte* (Valognes, 1867), pièces, no. 24. In 1074 Roger, earl of Hereford, is tried "secundum leges Normannorum". Ordericus Vitalis, ed. Le Prévost, II. 264.

<sup>3</sup> "Hee sunt consuetudines et iusticie quas habet dux Normannie in eadem provincia." Printed as part of the acts of council of Lillebonne by Martène and Durand, *Thesaurus Anecdotorum* (Paris, 1717), IV. 117, and reprinted in Mansi, *Concilia*, XX. 575, and Migne, *Patrologia*, CXLIX. 1329. I have given a critical edition in the *English Historical Review* (1908), XXIII. 502-508.

<sup>4</sup> The *Gesta Guillelmi* of William of Poitiers is of course an exception, as is also the first redaction of the work of William of Jumièges, when a critical edition shall have restored it to us.

<sup>5</sup> The Bibliothèque Nationale possesses (MS. Lat. n. a. 1243) a collection of copies of William's charters made by the late Achille Deville, which, though far from complete, is of considerable convenience. Round's *Calendar of Documents preserved in France* is serviceable, so far as it goes.

Where manuscripts are cited below without the mention of any library, they are in the Bibliothèque Nationale.

Until the completion of these undertakings any treatment of Norman history must be provisional, and even then we cannot hope to study the interaction of Frankish and Scandinavian elements in the tenth century or the government of the first dukes. For lack of sufficient earlier evidence the study of Norman institutions must begin about half a century before the Conquest of England, with the chronicle of Dudo and the charters of the later years of Richard II. Even for this period we shall find the material too fragmentary to yield conclusions on many points, and we shall need to supplement it from the more abundant, but still meagre, records of the latter part of William the Conqueror's reign. Ideally what we should most wish is a picture of Normandy at the moment of the invasion of England, but as a practical problem we shall find it hard enough to piece out some account of the government of Normandy if we use all of the sources of the Conqueror's reign, defining wherever possible the points that can be established as prior to 1066.

First of all, it is plain that Norman society in 1066 was a feudal society. Feudalism, however, may mean a great many different things,<sup>6</sup> and we must seek to determine what specifically feudal institutions existed, keeping in mind always those which are significant with reference to subsequent English developments. Vassalage and dependent tenure meet us on every hand, and while there are holdings for life<sup>7</sup> and the word *allod* occurs,<sup>8</sup> though not always with a very exact technical meaning, most land seems to be held by hereditary tenure of some lord. There are degrees of such tenure, and in some instances subinfeudation is well advanced,<sup>9</sup> but it is impossible to say whether all land was supposed to be held ultimately of the duke. Some measure of the extent to which feudal ideas had gone in early Normandy may be got from the indications of their disintegrating influence upon the Church. Before 1046 a provincial council prohibits bishops from granting the lands and

<sup>6</sup> Cf. Pollock and Maitland, *History of English Law*, second edition, I. 67; Adams, "Anglo-Saxon Feudalism", *AMERICAN HISTORICAL REVIEW*, VII. 11-35. Pollock and Maitland's chapter on Norman Law, though brief, contains the best account of conditions before the Conquest, and it is not necessary to repeat what is there said of feudal tenure. Cf. Stenton, *William the Conqueror* (New York, 1908), pp. 31-43.

<sup>7</sup> *E. g.*, Bibliothèque Nationale, Collection Moreau, XXI. 8, 9, 25, 30.

<sup>8</sup> *E. g.*, "Trado autem ipsum alodium S. Juliano . . . sicut Adam meus vassalus de me tenuit." Charter of William I. for St. Julien de Tours, MS. Lat. 5443, p. 49.

<sup>9</sup> *English Historical Review*, XXII. 644, 647.

revenues of the clergy as benefices to laymen,<sup>10</sup> and the need of such legislation appears from the case of Bishop Robert of Coutances, who gave cathedral prebends as fiefs to his relatives.<sup>11</sup> The feudal relation might be created out of other ecclesiastical rights besides land, as when the bishop of Bayeux granted in fee the episcopal *consuetudines* of several parishes<sup>12</sup> or the archbishop of Rouen turned an archdeaconry into an hereditary fief.<sup>13</sup>

In return for their lands the Norman barons rendered military service to the duke or to their immediate overlord, and by 1066 the amount of this service had been definitely fixed and had in many cases become attached to specific pieces of land, or knights' fees.<sup>14</sup> Usually the service was reckoned in units of five or ten knights, a practice which the Normans seem to have carried to southern Italy<sup>15</sup> as well as to England. The period of service, so far as it is indicated in documents of the Conqueror's reign, is regularly forty days.<sup>16</sup> Castle-guard is mentioned, though rarely,<sup>17</sup> and suit of court and *gîte* might be stipulated in making a grant.<sup>18</sup> Of the

<sup>10</sup> Council of Rouen (1037-46), c. 10, Mansi, *Concilia*, XIX. 753.

<sup>11</sup> Before 1048. *Gallia Christiana*, XI. instr. 218. Cf. also in the cartulary of the chapter of Rouen (MS. Rouen 1193, ff. 31, 54v) the account "quomodo villa de Duverent de dominatu archiepiscopatus exiit".

<sup>12</sup> *Gallia Christiana*, XI. instr. 63, 335. Cf. also Ordericus, ed. Le Prévost, III. 473. V. 183; Imbart de la Tour, in *Revue Historique*, LXVIII. 49.

<sup>13</sup> Ordericus, II. 132.

<sup>14</sup> Haskins, "Knight-Service in Normandy in the Eleventh Century", *English Historical Review* (1907), XXII. 636-649. The conclusions there suggested as probable are made practically certain by a charter of 1066 (Archives Nationales, JJ. 71, no. 90; printed in Le Prévost, *Mémoires et Notes pour servir à l'Histoire du Département de l'Eure* (Evreux, 1862-1869), III. 183, where the date is incorrectly given as 1076) which shows the bishop of Avranches rendering the service of five knights for the honor of St. Philibert. As the bishop in 1172 also owed the service of five knights for his lands in the Avranchin, it is altogether likely that this obligation had been imposed upon him before he received the gift of St. Philibert in 1066; and as St. Philibert had been until that time a lay fief, of which half was then given to the bishopric, it is evident that the whole had been an honor of ten knights.

<sup>15</sup> See the *Catalogus Baronum* of 1154 ff. in Del Re, *Cronisti e Scrittori Napoletani* (Naples, 1845), I. 571; and on its date and character cf. Capasso, in *Atti della Reale Accademia di Archeologia* (1868), IV. 293-371; Chalandon, *Histoire de la Domination Normande en Italie et en Sicile* (1907), I. vi-viii, II. 510-524; von Heckel, in *Archiv für Urkundenforschung* (1908), I. 389 ff.

<sup>16</sup> *English Historical Review*, XXII. 646-647.

<sup>17</sup> *Ibid.*; Ordericus, II. 74; Round, *Calendar*, no. 319; *Historiens de France*, XXIII. 701. On its appearance in England shortly after the Conquest, see Round, in *Archaeological Journal*, LIX. 144.

<sup>18</sup> "Gausfredo clerico cognomento Masculo unum ortum dedi de prefato alodio ut inde serviret michi, et alium Evremaro xi<sup>61</sup> solidos reddentem per annum, pro quo idem Evremarus interesset meis placitis si necesse fuisset et quotiens venirem Baiocas per annum preberet michi de suo prima nocte vinum

feudal incidents relief, wardship, marriage, and the three aids appear, but the evidence is of a scattered sort and comes mainly from the latter part of the reign.<sup>19</sup> In addition to the feudal service the duke in his charters was careful to retain the right of calling out the general levy of the country in case of invasion,<sup>20</sup> and from the care with which his vassals reserve this obligation as regards their dependents and even their townsmen,<sup>21</sup> it would seem that the duke held the lords responsible for producing their men when occasion arose.<sup>22</sup> Materials are lacking for any comparison of this system with the Anglo-Saxon *fyrd*, but it is highly probable that the familiarity of the Norman kings with the *arrière-ban* in the duchy made natural that preservation of the *fyrd* which is usually set down to deliberate desire to maintain Anglo-Saxon popular institutions. It should also be noted that the ordinance which, a century later, is generally said to have recreated and rearmed this ancient force of the *fyrd*,<sup>23</sup> the Assize of Arms of Henry II., is drawn on the same lines as an earlier assize for Henry's continental dominions.<sup>24</sup>

Intimately connected with feudal tenure is the matter of feudal jurisdiction. First of all, there is the jurisdiction which is strictly feudal, the justice of the feudal lord over his tenants. Robert of Bellême has an important court of his barons.<sup>25</sup> The monks of St. Evroul have their court, in which they may declare the forfeiture of a fief.<sup>26</sup> The honor of Ralph Taisson has its barons, who can be summoned to record against encroachment the title of the

et cervisam et panem factitium per consuetudinem et victum equorum. Et hoc testimonio regine domine mee, et si opus haberem acederet michi usque ad centum solidos in civitatem." Notice of grants by Rainald, chaplain of King William, MS. Lat. n. a. 1243, f. 80v.

<sup>19</sup> *English Historical Review*, XXII. 646-648; Ordericus, III. 42; Round, *Calendar*, no. 320 (relief). Cf. Pollock and Maitland, I. 71.

<sup>20</sup> Guilhiermoz, *Essai sur l'Origine de la Noblesse* (Paris, 1902), pp. 289-292. It should be borne in mind that the Bayeux returns of 1133, where the name *arrière-ban* first appears in Normandy, represent the conditions of Bishop Odo's time (*English Historical Review*, XXII. 643). Wace (ed. Andresen, II. lines 5205 ff.) mentions the calling out of the peasants against the king of France in 1058.

<sup>21</sup> See, besides the Bayeux returns, Ordericus, III. 36, 39.

<sup>22</sup> Cf. the Worcestershire custom, Maitland, *Domesday Book and Beyond*, p. 159. On the *fyrd* in general use see Vinogradoff, *English Society in the Eleventh Century*, p. 22 ff.

<sup>23</sup> Stubbs, *Select Charters*, p. 154; *Constitutional History*, I. 632.

<sup>24</sup> Benedict of Peterborough, I. 269; Guilhiermoz, *l. c.*, pp. 225-227.

<sup>25</sup> Archives of the Orne, H. 2150; Bry, *Histoire du Pays et Comté du Perche* (Paris, 1620), pp. 82, 103; Round, *Calendar*, no. 654.

<sup>26</sup> Ca. 1056, Ordericus, II. 60, 75. Cf. Round, *Calendar*, nos. 116 (Fécamp), 713 (Mont St. Michel).

abbey of their lord's foundation.<sup>27</sup> The honor which William Paine holds of the abbot of Mont St. Michel has a court of seven peers, who owe service according to the custom of their ancestors, and there are also separate courts for his manors.<sup>28</sup> Besides this feudal justice, there is the jurisdiction which is franchisal, arising from the grant of public rights by the sovereign, the justice which men will one day say has nothing in common with the fief. We cannot in the eleventh century draw the line separating these two sorts of jurisdiction with the sharpness which later feudal law permits;<sup>29</sup> the justice of the feudal lord may owe something to royal grant, and the holder of the franchise may not always be able to point to the act which created it, yet the distinction seems thus early justified by the facts.

We must at the outset give up any attempt to follow the Norman franchises back into Frankish days. Doubtless Norman churches enjoyed the immunity which all such bodies were supposed to possess under Louis the Pious,<sup>30</sup> and some had more specific privileges;<sup>31</sup> but the nature and development of the immunity is obscure enough in those regions which have preserved an unbroken series of such grants,<sup>32</sup> and in Normandy the coming of the invaders not only made a wide gap in our records, but produced important changes in the holders of land and probably in the rights exercised over it. The clearest case of continuity is furnished by Berneval-sur-Mer, which had been a dependency of St. Denis under the Frankish kings and was confirmed to the abbey by the first Norman dukes.<sup>33</sup> This confirmation was repeated by Richard I. in 968 in a charter which grants full immunity and all rights exercised in Berneval by count or viscount, *vicarius* or *centenarius*.<sup>34</sup> When we come to the charters of the eleventh century, the clause of immunity, though reminiscent of Frankish models, is shorter and more general. Richard II. grants

<sup>27</sup> *Gallia Christiana*, XI. instr. 65 (ca. 1070).

<sup>28</sup> *English Historical Review*, XXII. 647-648 (1070-1081).

<sup>29</sup> Cf. Esmein, *Cours d'Histoire du Droit Français*, third edition, p. 251 ff.; Maitland, *Domesday Book and Beyond*, p. 80.

<sup>30</sup> Brunner, *Deutsche Rechtsgeschichte*, II. 291.

<sup>31</sup> *Historiens de France*, VI. 482 (St. Wandrille), VIII. 650 (St. Ouen).

<sup>32</sup> For the literature of the controversy see Brunner, *l. c.*, II. 287 ff.; Seeliger, *Die Soziale und Politische Bedeutung der Grundherrschaft im früheren Mittelalter*, in the *Abhandlungen of the Leipzig Academy* (1903), XXII. *id.*, *Historische Vierteljahrschrift*, VIII. 305 ff.

<sup>33</sup> Böhmer-Mühlbacher, *Regesten der Karolinger*, nos. 60 (58), 190 (186); Dudo of St. Quentin, ed. Lair, p. 171.

<sup>34</sup> *Historiens de France*, IX. 731.

to Fécamp<sup>35</sup> and Jumièges<sup>36</sup> the possession of their lands "without any disturbance of any secular or judicial authority as property belonging to the demesne fisc", and the same phrases appear, omitting the reference to the fisc, in his charters for Bernai<sup>37</sup> and St. Ouen.<sup>38</sup> The clause is not found in Richard's grant to Mont St. Michel, but appears in the charter of Robert I.,<sup>39</sup> who likewise made the sites of St. Amand and Mount St. Catherine's "immune from the judicial exaction" of his authority.<sup>40</sup> I have found no such clauses after Robert's time, though phrases are common which grant such protection as is enjoyed by the duke's demesne.<sup>41</sup>

How much, if any, actual authority these vague grants of immunity conveyed, it is impossible to say. Except in the very early instance of Berneval, they make no direct grant of fees or jurisdiction, and if they are more than a pious formula, it would seem that their primary purpose was to assure the duke's protection. It must be borne in mind, as one of the few points upon which there is fairly general agreement, that the Frankish immunity itself, what-

<sup>35</sup> "Haec omnia . . . concedo . . . ut habeant, teneant, et possideant absque ulla inquietudine cuiuslibet secularis vel iudiciarie potestatis sicuti res ad fiscum dominicum pertinentes." Original in Musée de la Bénédictine at Fécamp, no. 2 ter; Du Monstier, *Neustria Pia* (Rouen, 1663), p. 217.

<sup>36</sup> Cartulary no. 22, f. 7, and *vidimus* of 1498 and 1529 in archives of the Seine-Inférieure.

<sup>37</sup> Le Prévost, *Eure*, I. 285; Du Monstier, *Neustria Pia*, p. 399.

<sup>38</sup> Pommeraye, *Histoire de S. Ouen* (Rouen, 1662), p. 405.

<sup>39</sup> *Mémoires des Antiquaires de Normandie*, XII. 111 (Round, no. 705).

<sup>40</sup> *Cartulaire de la Trinité du Mont de Rouen*, no. 1; *Monasticon*, VII. 1101.

<sup>41</sup> Brunner, *Schwurgerichte*, p. 238 ff. The clauses of immunity in the charters for Fécamp require further investigation in connection with a critical study of the documents in which they occur. One charter of Robert I., preserved in the Musée (no. 4 bis), has the following clause, which is not found in another charter of the same duke (no. 3 bis) which has the same witnesses and much the same contents: "Ista igitur bona et omnia alia que Fischannensi monasterio olim donata sunt sub solius abbatis potestate et iustitia constituimus ut nullius dignitatis homo aliquando manum intromittere presumat". A supposed charter of William I. (*ibid.*, no. 7) makes the monastery's possessions "quietas ab omni inquietudine vel diminutione cuiuslibet secularis vel iudiciarie potestatis sicut res ad fiscum dominicum pertinentes". These may perhaps be explained by the special favor with which Fécamp was regarded by the dukes; but certain of the early charters for this monastery are not above suspicion, and one of them (Delisle, *Histoire de S. Sauveur-le-Vicomte*, pièces, no. 43) is a rank fabrication, purporting to be issued by the Conqueror, but repeating the witnesses of Robert's charters (nos. 3 bis, 4 bis). A moment's glance at the pretended original in the Musée shows the futility of Round's attempt (*Calendar*, no. 113, and p. xxvi) to establish its authenticity against the arguments which Delisle drew from the list of witnesses, arguments based upon a method of criticism which Round has recently gone so far as to call more "primitive" and "crude" than his own (*Archaeological Journal*, LXIV. 78). Round's treatment of this charter has misled Stenton, *William the Conqueror*, pp. 75-76, into using it as evidence for the early history of the reign.

ever its effects in establishing private jurisdictions, did not create exemption from the authority of the count,<sup>42</sup> so that, apart from the question of any devolution of royal rights to the Norman dukes, they would still as counts<sup>43</sup> retain control of the great religious establishments. That the clauses of immunity in the charters of the Norman dukes were not intended as a general grant of the duke's judicial powers is shown by the practice, which appears as early as Richard II., of granting, sometimes in the very documents which contain the immunity clause, the ducal *consuetudines* in specified places. Thus Richard II.'s charter to Bernai conveys the duke's *consuetudines* in all the *villae* possessed by the monastery,<sup>44</sup> and his charter for Jumièges grants his customs, here styled *consuetudines comitatus*, in three places.<sup>45</sup> The term is, of course, a general one,<sup>46</sup> comprising tolls, market rights, and a great variety of rights of exploitation other than the profits of justice, but it specifically includes "laws and forfeitures" in Richard's grant of the customs of the Mount to Mont St. Michel,<sup>47</sup> and its jurisdictional content is more exactly defined in documents to which we shall come in a moment. We may say provisionally that when the duke wished to convey jurisdiction, he made a grant of the ducal *consuetudines*, but we can understand what this means only when we have examined what judicial rights the duke had to grant.

It is commonly asserted by modern writers<sup>48</sup> that the duke of Normandy was the only feudatory of the French crown who succeeded in retaining for himself the monopoly of *haute justice*

<sup>42</sup> Brunner, *Deutsche Rechtsgeschichte*, II. 166, 300, 302; Seeliger, *Bedeutung der Grundherrschaft*, p. 80 ff.

<sup>43</sup> On the use of count as the early title of the Norman dukes, see Lappenberg, *Geschichte Englands*, II. 18.

<sup>44</sup> Le Prévost, *Eure*, I. 285.

<sup>45</sup> "Ex quibus nostro tempore donavit per nostrum consensum Robertus archiepiscopus frater noster omnes consuetudines que ad comitatum pertinent quas ipse ex nostro iure possidebat. . . . In vado Fulmerii unum alodarium et omnes consuetudines quas iure comitatus in omnibus terris ipsius loci tenebam. . . . Pro quo et nos donavimus omnes consuetudines que ex ipsa terra pertinebant ad nos." Cartulary 22 in archives of the Seine-Inférieure, ff. 7-11; *vidimus* of 1498 and 1529 in same archives. Cf. *Neustria Pia*, p. 323; Le Prévost, *Eure*, II. 571.

<sup>46</sup> Cf. Flach, *Origines de l'Ancienne France*, I. 203; and notes 55, 68, below.

<sup>47</sup> *Neustria Pia*, p. 378; *Mémoires des Antiquaires de Normandie*, XII, 110; Round, no. 702. On the other hand the Conqueror's charter for St. Désir mentions "consuetudinibus et forisfactis" (*Gallia Christiana*, XI. instr. 203). Undefined grants of *consuetudines* will be found in *Livre Noir de Bayeux*, no. 1; La Roque, *Histoire de la Maison d'Harcourt* (Paris, 1662), III. 26; *Cartulaire de Notre-Dame de Chartres*, I. 86.

<sup>48</sup> Brussel, *Usage des Fiefs* (Paris, 1750), I. 253; Luchaire, *Manuel des Institutions Françaises*, pp. 245, 256.

throughout his dominions. Now if we mean by *haute justice* what the lawyers of the thirteenth century meant, jurisdiction by virtue of which the duel could be held and penalty of death or mutilation inflicted, this statement is far from correct, for so-called pleas of the sword are often held by the duke's vassals<sup>49</sup> and the duel is waged in their courts.<sup>50</sup> If, on the other hand, we mean that a baron could possess such pleas only by virtue of a ducal grant, and that certain of them were never granted, the statement will probably hold. For the pleas of the sword in the twelfth century we have a list drawn up under Henry II., which can be supplemented by certain chapters of the *Très Ancien Coutumier*.<sup>51</sup> This list, however, expressly says that murder belongs "to the duke alone or to those to whom he or his ancestors have granted it", and it is plain that the same limitation is intended to qualify others of the pleas enumerated. The matter is clearer in the inquest of 1091, which gives a statement, including fewer pleas but professedly incomplete, of the customs and justice exercised by William the Conqueror in the duchy. Assault in the duke's court or on the way to and from it, offences committed in the host or within a week of its setting forth or its return, offences against pilgrims, and violations of the coinage—these place the offender in the duke's mercy and belong exclusively to his jurisdiction.<sup>52</sup> On the other hand, it appears from the same inquest that there are other offences, such as attacks on houses (*hainfara*), arson, rape, and unwarranted seizure of sureties, jurisdiction over which belongs in some places to the duke and in others to his barons;<sup>53</sup> and we find arson, rape, and *hainfara* among the *consuetudines* which Duke William, in the year of his marriage, granted to the abbot of Préaux.<sup>54</sup> Similar pleas were doubtless included in the *consuetudines de sanguine* granted by the Conqueror to Bec, which possessed jurisdiction over murder and mayhem among the "royal liberties" it

<sup>49</sup> See *Bibliothèque de l'École des Chartes*, XIII. 108-109; Stapleton, *Magni Rotuli Scaccarii Normanniae* (London, 1840), I. xxxiii; and the texts cited below.

<sup>50</sup> See, for example, the duels held in the court of the abbot of Jumièges in 1056, Mabillon, *Annales Ordinis S. Benedicti*, IV. 519; and in the court of Roger of Beaumont, *Gallia Christiana*, XI. instr. 202.

<sup>51</sup> Ed. Tardif, cc. 70 (inquest), 15, 16, 35, 53, 58, 59, 69, 70. Cf. Pollock and Maitland, II. 455.

<sup>52</sup> *English Historical Review*, XXIII. 506, cc. 1-3, 12, 13. The protection of the plow by the duke, as we find it in the *Très Ancien Coutumier*, likewise goes far back into Norman, if not into Scandinavian, history. Dudo, ed. Lair, pp. 171-172; Wilda, *Strafrecht*, p. 245.

<sup>53</sup> Cc. 9, 10.

<sup>54</sup> *English Historical Review*, XXIII. 504.

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enjoyed under Henry I.;<sup>55</sup> and while there were probably local differences, as in Anglo-Saxon England, where Domesday shows curious parallels to the Norman forfeitures,<sup>56</sup> it is evidently jurisdiction over crimes of this sort which is conferred by the ducal grants of *consuetudines* to monasteries. The great lay lords might also have such customs; indeed the forfeiture of life and limb in baronial courts is presupposed in the inquest of 1091.<sup>57</sup> The counts of Evreux and Mortain have blood-justice;<sup>58</sup> the count of Eu has justice in the hundred of St. Pierre-sur-Dive over all forfeitures except the duke's army and coinage;<sup>59</sup> Robert, count of Meulan, gives the abbot of Préaux, in Salerne, his "forfeitures which according to human law are collected by ancient custom from homicides, thieves and such others as are capitally convicted", and in another district *hainfara*, arson, and *ullac*.<sup>60</sup>

The maintenance of the duke's judicial supremacy is only one phase of the persistent assertion of his ultimate authority over his barons. Coinage was his, and everything relating thereto.<sup>61</sup> Castles and strongholds could be built only by his license and must

<sup>55</sup> "Predicto monasterio tradidit idem comes Normannie omnes consuetudines de sanguine et theloneo quas habebat circa ipsum monasterium." Before 1066, MS. Lat. 12884, f. 177. The relevant portion of the charter of Henry I. for Bec (Round, *Calendar*, no. 375) is printed (note 5) in an article which will appear in the *English Historical Review* on "The Administration of Normandy under Henry I.", where (no. 1) will also be found a charter establishing the jurisdiction of Fécamp over homicide and arson by grant of Henry's predecessors. Cf. also the Conqueror's grant of "leugam cum sanguine" to the monks of St. Benoît (Prou and Vidier, *Recueil des Chartes de S. Benoît-sur-Loire*, no. 78), and Henry I.'s charter for St. Pierre-sur-Dive, where, however, pleas relating to the army and the coinage are expressly reserved (*Gallia Christiana*, XI. instr. 157). John, abbot of Fécamp (1028-1079), grants a piece of land "retenta publica iustitia in consilio nostro". Bibliothèque Nationale, Collection Moreau, XXI. 25.

<sup>56</sup> Cf. Pollock and Maitland, II. 454; Maitland, *Domesday Book and Beyond*, pp. 87-88; Vinogradoff, *English Society in the Eleventh Century*, p. 111 ff.

<sup>57</sup> C. 8.

<sup>58</sup> Count Richard of Evreux (d. 1067) gives "Deo et sancto Taurino tres consuetudines quas habebat in terra sancti Taurini, videlicet sanguinem, septeragium (sesteragium?), et theloneum". "Little Cartulary" of St. Taurin (archives of the Eure, H. 793), f. 72v, no. 26. For Mortain see *Bibliothèque de l'École des Chartes*, XIII. 108, n.

<sup>59</sup> *Gallia Christiana*, XI. instr. 156-158; cf. col. 203.

<sup>60</sup> Cartulary of Préaux (archives of the Eure, H. 711), nos. 68, 347; MS. Lat. n. a. 1929, no. 250; Le Prévost, *Eure*, III. 97 (cf. on p. 96 the grant of Roger of Beaumont). Tithes of the baron's forfeitures are frequently granted to monasteries. E. g. Le Prévost, *Eure*, I. 408; *Gallia Christiana*, XI. instr. 129.

*Ullac*, also known as *utlach* and *uthlach* (Cartulary of Préaux, no. 55), probably means the harboring of outlaws (*ulages*). Cf. *English Historical Review*, XXIII. 504, n. 16.

<sup>61</sup> *Consuetudines et Iusticie*, c. 13. Cf. *English Historical Review*, XXIII. 505.

be handed over to him on demand, and he could also exact hostages as a guarantee of a baron's loyalty.<sup>62</sup> Private war and the blood feud were not, it is true, entirely abolished in the Conqueror's time, but they were reduced within comparatively narrow limits;<sup>63</sup> and while the extermination of disorder and violence was doubtless not so complete as his panegyrists would have us believe,<sup>64</sup> it is plain that much was accomplished in this direction.

An authority such as the Conqueror wielded in church<sup>65</sup> and state required a considerable income for its maintenance, and while there are no fiscal records for Normandy earlier than 1180, it is possible to trace back to William's time most of the sources of revenue which appear in detail in the exchequer rolls a century later.<sup>66</sup> The duke had his domains and forests, scattered throughout the duchy and sometimes of considerable extent, which might yield a *rectival* as well as a great variety of payments in kind. He had his mills, such as the eight "fiscal mills" on the Eau de Robec at Rouen, his salt-pans, his fishing-rights at certain points on the rivers and on the coast, and his monopoly of the taking of whales and other "great fish". Wreck and treasure-trove were his, as well as the profits of coinage. He had large possessions in certain towns—he could sell half of Coutances to its bishop<sup>67</sup>—in addition to tolls, rights over markets and fairs, and other urban *consuetudines*.<sup>68</sup>

<sup>62</sup> *Consuetudines et Iusticie*, cc. 4, 5. Cf. Ordericus, III. 262, 263.

<sup>63</sup> *English Historical Review*, XXIII. 503; cf. council of Lisieux (1064), c. 7, *Journal des Savants*, 1901, p. 517. As early as the reign of Robert the Devil we see the duke's messenger separating combatants and putting them under oath to abide by the decision of his court. *Vita Herluini*, in Mabillon, *Acta Sanctorum Ordinis S. Benedicti*, VI. 2, 348.

<sup>64</sup> William of Poitiers, ed. Duchesne, p. 193; Wace, ed. Andresen, lines 5348–5352. Their repression of disorder and their rigorous administration of justice are the constant refrain of Dudo's eulogies of the first three Norman dukes. Ed. Lair, pp. 171, 183, 196, 200, 201, 205, 245, 248, 255, 259, 261–264, 266, 268, 269, 272, 280, 290–293.

<sup>65</sup> Owing to the limits of space set for this article, it has been found necessary to omit the portion relating to the church courts and the Conqueror's ecclesiastical supremacy. Some phases of this subject are discussed by Böhmer, *Kirche und Staat in England und in der Normandie* (Leipzig, 1899).

<sup>66</sup> See the classical study of Delisle, *Des Revenus Publics en Normandie au Douzième Siècle*, in the *Bibliothèque de l'Ecole des Chartes*, X. 173–210, 257–289, XI. 400–451, XIII. 97–135.

<sup>67</sup> *Gallia Christiana*, XI. instr. 219.

<sup>68</sup> E. g., in an early charter for Troarn, "in Falesia totam terram Wesman et consuetudines eius ad regem pertinentes". MS. Lat. 10086, f. 3v. The following, relating to Bayeux, is more specific: "Et ille bene scit domos infra civitatem et terram extra civitatem positam semper fuisse quietas ab omni consuetudine Normannorum principis, scilicet theloneo, gildo, molta molendinorum, et custodia vigiliarum, et dominus predicte terre si faceret adducere vinum suum de Argencis esset quietus suum carragium apud Cadomum et apud Baiocas". 1079–1083, MS. Lat. n. a. 1243, f. 81.

*Bernagium* for his hunting dogs was a burden on the land,<sup>69</sup> as was also an exaction called *gravaria*.<sup>70</sup> The fines and forfeitures of justice and the receipts from feudal dues were naturally important.

How the revenues of the Norman dukes were collected and administered is a question of great interest, particularly to the student of English institutions. Since the days of the *Dialogue on the Exchequer*<sup>71</sup> there have not been wanting those who have maintained that the English exchequer was organized on the model of an earlier Norman institution; and while recent investigations have traced portions of the exchequer system back to Anglo-Saxon times<sup>72</sup> and have suggested that an elaborate fiscal system is more likely to have grown out of the collection of a heavy tax like Danegeld than out of the more ordinary and miscellaneous set of revenues which we have just enumerated,<sup>73</sup> the possibility of Norman influence upon the English exchequer has by no means been eliminated from the discussion. The Norman evidence, it is true, is of the most meagre sort,<sup>74</sup> the absence of anything like the Domesday survey being the greatest gap, but the argument from silence is especially dangerous where the destruction of records has been so great as in Normandy, and it is well to bear in mind that, save for the accident which has preserved a single Pipe Roll of Henry I., the existence of the English exchequer is barely known before Henry II. A ducal treasury appears in Normandy as early as Richard II., who gives a hundred pounds from his *camera* to redeem lands of St. Benigne of Dijon,<sup>75</sup>

<sup>69</sup> *English Historical Review*, XXIII. 504; Round, *Calendar*, no. 2; *Monasticon*, VII. 1074; *Liber Albus* of Le Mans, no. 1; charter of William I. for St. Étienne, archives of the Calvados, H. 1830, 2-2 ("quietum ab omni gravaria et bernagio"); charter of William Rufus for Bec, archives of the Eure, H. 91, f. 39v.

<sup>70</sup> DuCange, *Glossarium*, under "gravaria"; Stapleton, *Magni Rotuli*, I. lxxxvii, xcvi, cxxviii, clxxxi; Farcy, *Abbayes de l'Évêché de Bayeux*, pp. 81, 82 (before 1066); Round, *Calendar*, nos. 117, 1175.

<sup>71</sup> I. iv, ed. Hughes, Crump, and Johnson, p. 66.

<sup>72</sup> See especially Round, *Commune of London*, p. 62 ff.; and for a summary of the question, Petit-Dutaillis's translation of Stubbs, I. 804-809.

<sup>73</sup> Vinogradoff, *English Society in the Eleventh Century*, p. 140.

<sup>74</sup> The name exchequer appears in Normandy in a document of ca. 1130; Round, *English Historical Review*, XIV. 426. An exchequer roll of 1136 was cited in the eighteenth century, *Mémoires des Antiquaires de Normandie*, XVI. xxx.

<sup>75</sup> "Tactus pater meus divina inspiratione dedit de camera sua predicto Attoni centum libras nummorum." Charter of Robert I., MS. 1656 of the Bibliothèque S. Geneviève at Paris, p. 46; printed, inaccurately, in Deville, *Analyse d'un Ancien Cartulaire de l'Abbaye de S. Étienne de Caen* (Evreux, 1905), p. 34. "Robertus de camera" is mentioned in a charter anterior to 1067, Round, *Calendar*, no. 87; Pommeraye, *Histoire de S. Amand*, p. 81.

and grants to Fécamp permanently the tithe of his *camera*.<sup>76</sup> The latter grant, which has come down in the original, is particularly interesting, for the duke goes on to define the *camera* as comprising everything "given to him by the service of anything", whether lands purchased or fines or gifts or any sort of transaction—in other words, any extraordinary or occasional addition to his treasure.<sup>77</sup> The profits of coinage are separately reckoned, and the *fiscalis census* and "what are anciently called customs" are expressly excluded. It would be rash to attempt to define too closely the content of the *census* and the customs, but the *census* must at least have covered the returns from the demesne and forests, and the customs would naturally include the profits of tolls and markets and justice—altogether much the sort of thing which was later comprised within the farm of the *vicomté* or *prévôté*. The duke plainly knows the difference between his ordinary and his extraordinary sources of income. So a century and a half later we find that returns from the mint and receipts of the *camera* are separately accounted for; the exchequer rolls record only the revenues collected by the local officers.

Can we discover in the eleventh century any indication of system in the collection of these fixed sources of revenue? We may dismiss at the outset, as the report of a later age, Wace's picture of Richard II. shut up in a tower with his *vicomtes* and *prévôts* and going over their accounts;<sup>78</sup> but it is nevertheless possible, by working back from documents of the twelfth century, to reach certain tentative conclusions with respect to the fiscal system of the Conqueror's reign. In the first place it is clear that the farm of the *vicomté* existed under William I., for we know from a charter of Henry I. that certain fixed items in the later rolls, to wit twelve pounds in the farm and twenty shillings in the toll of Argentan and sixty shillings and tenpence in the toll of Exmes, had been settled as alms to the canons of Séez by grant of his father and

<sup>76</sup> "Concedo etiam decimas monete nostrae ex integro et decimas nostre camere, videlicet de omnibus quecumque michi alicuius rei servitio dabuntur, videlicet aut emptarum terrarum aut emendarum aut cuiuslibetcumque negotii sive dono muneris gratis dati excepto fiscali censu et exceptis his quae costumas antiquitus dicunt. Do et decimas telonei de burgo qui dicitur Cadumus." Charter of 1027 for Fécamp, Musée de la Bénédictine, no. 2 *ter*; *Neustria Pia*, p. 217. The grant of the toll of Caen shows that tolls are not included in the receipts of the *camera*.

<sup>77</sup> So when Nigel grants Céaux to Mont St. Michel a payment is made to William I.'s *camera*: "Pro cuius rei concessu dedit prefato Guillelmo centum et 1<sup>ta</sup> libras quas accepit Radulfus camerarius". MS. Avranches 210, f. 107.

<sup>78</sup> Ed. Andresen, lines 2009-2012.

mother.<sup>79</sup> Permanent charges of this sort, either in the form of tithes or of definite amounts, are frequently recorded against the farms in the Norman rolls of the twelfth century, as in the English pipe rolls of the same period, but whereas in the English rolls such fixed alms are of recent creation, in Normandy they can often be traced back to the eleventh century. Thus St. Wandrille offered charters of Richard II. as its title to the tithes of the toll of Falaise, Exmes, Argentan,<sup>80</sup> and the Hiesmois, of the *vicomtés* and tolls of Dieppe and Arques, and of the fair of Caen.<sup>81</sup> By grant of the same prince Fécamp received the tithe of the toll of Caen,<sup>82</sup> and Jumièges the tithes of the *prévôtés* of Bayeux and the Bessin.<sup>83</sup> The abbey of Cerisy received its tithes, as granted by Robert the Devil and confirmed by the Conqueror in 1042, from the *vicomtés* of the Cotentin, Coutances and Gavray, and from a number of the ducal forests.<sup>84</sup> By authority of William I. the nuns of St. Amand had the tithe of Barfleur, of St. James and of the *modiatio* of Rouen;<sup>85</sup> those of La Trinité had two-thirds of the tithe of the *prévôté* of Caen; the bishop of Coutances had the tithe of the toll of Cherbourg, and the canons of Cherbourg the tithe of the ducal mills in Guernsey.<sup>86</sup> Specific grants make their appearance in the same reign;

<sup>79</sup> "Preterea duodecim libras in firma nostra de Argentomo et viginti et unum solidos in teloneo eiusdem ville et sexaginta solidos et decem denarios de teloneo nostro de Oximis, que dederunt pater meus et mater mea ecclesie Sagiensi ad victum canonicorum duorum, quod antiquitus in elemosina statutum fuerat." MS. Alençon 177, f. 98; MS. Lat. 11058, f. 8. I have printed further extracts from this charter in the paper on "The Administration of Normandy under Henry I." in the *English Historical Review*, above referred to. These items are duly charged in the roll of 1180. Stapleton, *Magni Rotuli*, I. lxxxviii, xcvi, cxxxii, 39, 50, 103.

<sup>80</sup> In the later rolls this has become a fixed rent of 15 pounds. *Mémoires des Antiquaires de Normandie*, XVI. xii.

<sup>81</sup> See the charges in Stapleton, I. xcvi, ci, cviii, cxxiii, cxxxii, 39, 50, 57, 68, 90, 103. The originals, or quasi-originals, of these charters for St. Wandrille are preserved in MS. Lat. 16738 and in the archives of the Seine-Inférieure; some of them are clearly not genuine in their present form. M. Ferdinand Lot is preparing a study of them.

<sup>82</sup> See above, note 76; Stapleton, I. xxiv, c, 56. St. Taurin, later a dependency of Fécamp, received from Richard I. the tithe of the *vicomté* of Evreux, but this passed out of the duke's hands and does not appear in the rolls. "Little Cartulary" of St. Taurin (archives of the Eure, H. 793), ff. 57, 115v; *Gallia Christiana*, XI. instr. 138; Martène and Durand, *Thesaurus Anecdotorum*, I. 154. The tithe of Avranches, granted to the cathedral by Robert I. (Pigeon, *Le Diocèse d'Avranches*, II. 667), does not appear in the rolls, for similar reasons.

<sup>83</sup> *Neustria Pia*, p. 323; *Monasticon*, VII. 1087; Stapleton, I. 7, 40.

<sup>84</sup> *Neustria Pia*, p. 432; *Monasticon*, VII. 1073; Farcy, *Abbayes de l'Évêché de Bayeux*, p. 78.

<sup>85</sup> Before 1055, *Monasticon*, VII. 1101; Stapleton, I. 40.

<sup>86</sup> Stapleton, I. c, 56; lxxxiii, 30; lxxvii, 27.

besides the above-mentioned grant to Séez William gives, before 1066, to the nuns of Montivilliers a hundred shillings in the *prévôté* of Caen.<sup>87</sup> In none of these cases does the original grant use the word *farm*, although the duke's revenues at Barfleur and in the *vicomtés* of the Cotentin, Coutances and Gavray are expressly stated to be in money, but it is altogether likely in view of the charter to Séez that the *vicomtés* and *prévôtés* were farmed in the Conqueror's time. In any event, in order to make such grants, the duke must have been in the habit of dealing with these areas as fiscal wholes and not as mere aggregates of scattered sources of income; the unit was the *vicomté* or *prévôté*, and not the individual domain. One other point of interest deserves to be mentioned in connection with these entries of fixed alms, the fact, namely, that wherever the matter can be tested, the various fixed charges are entered under each account in chronological order.<sup>88</sup> This cannot be mere chance, nor is it likely that a later exchequer official would have sufficient historical interest to rearrange them chronologically; it is much more probable that when each grant was made it was entered, probably on a central record similar to the later exactory roll. If this is the correct explanation, it follows that where the list begins with the grants of Richard II. and continues with those of William,<sup>89</sup> the entries were made as early as the Conqueror's time. There would be nothing surprising in the existence of a record of amounts due and allowances to be made; such a roll is the natural part of the system of farms and fixed alms which we have found under the Conqueror, if not of the state of affairs existing under Richard II.<sup>90</sup>

Whatever weight may be attached to such inferences as these, it seems fairly clear that in the matter of fiscal organization Normandy was in advance of neighboring lands such as the county of

<sup>87</sup> *Gallia Christiana*, XI. instr. 328; Stapleton, I. c. 56. The Conqueror also assigned against this *prévôté* twelve prebends for his hospital at Caen, and similar charges were made against the *prévôté* of Bayeux. Stapleton, I. lxi, ci; cf. Henry II's charter for the lepers of Bayeux, MS. Rouen 1235, f. 5.

The duke's officers also pay tithes and fixed charges granted by his barons on tolls which have subsequently come into his hands. *Bibliothèque de l'École des Chartes*, X. 178, 196; Stapleton, I. lxiv, cxviii, 8, 14, 17, 82. Cf. *Dialogus de Scaccario*, II. 10.

<sup>88</sup> Stapleton, I. 7, 30, 38, 39, 50, 56, 68, 70, 90, 97, 103, 111; *Mémoires des Antiquaires de Normandie*, XVI. 109.

<sup>89</sup> E. g., Stapleton, I. 39, 56.

<sup>90</sup> Compare the early development of a fiscal system in Flanders. Pirenne, *Histoire de Belgique*, I. 109.

Anjou or the royal domain.<sup>91</sup> The Capetian charters of the eleventh century, for example, indicate fairly primitive economic conditions. The kings are liberal in granting lands and exemptions and rights of exploitation, but fixed grants of money are rare and small in amount, and are nearly always charged against an individual domain or a specific source of revenue rather than, as in Normandy, against the receipts from a considerable district.<sup>92</sup> Whereas the Conqueror's grants give evidence of a considerable money income, the *Naturalwirtschaft* of the Capetian kings is shown by the prevalence, well into the twelfth century, of fixed charges which are paid in kind—the tithe of the royal cellars and granaries at Auvers and Poissy,<sup>93</sup> fourteen *muids* of grain in the mills of Bourges, or twenty *muids* of wine from the vineyards of Vorges and Joui.<sup>94</sup> It is thoroughly characteristic of the condition of eleventh-century Normandy that the dukes should be sparing in conferring extensive franchises and rights of exploitation, while they were generous in permanent grants of money from the income which their own officers collected.

In local government the distinctive feature of the Norman system is the presence of a set of officers who are public officials, rather than mere domanial agents, and are in charge of administrative districts of considerable extent. As has been anticipated in the account of Norman finance, the chief local officer of the eleventh century was the *vicomte* and the principal local division the *vicomté*.

<sup>91</sup> A comparative study of fiscal arrangements in the eleventh century is much needed. The charters of the Angevin counts are listed by Halphen, *Le Comté d'Anjou au XI<sup>e</sup> Siècle* (Paris, 1906); those of Robert I. and Henry I. by Pfister, *Études sur le Règne de Robert le Pieux* (Paris, 1885), and Soehnée, *Catalogue des Actes d'Henri I<sup>er</sup>* (Paris, 1907). The charters of Philip I. are now accessible in the admirable edition of Prou, *Recueil des Actes de Philippe I<sup>er</sup>* (Paris, 1908).

<sup>92</sup> The nearest parallels to the Norman grants are the gift by Robert I. to the church of Étampes of ten *sous* of "census de fisco regali Stampensi" (*Historiens de France*, XI. 579; Soehnée, no. 73), and the grant by Henry I. to St. Magloire of the tithe of the port of Montreuil, where however the tithe of the money had already been granted to another monastery and the tithe of beer to a third. Tardif, *Monuments Historiques*, no. 262; Soehnée, no. 33.

<sup>93</sup> Prou, *Philippe I.*, no. 63; Luchoire, *Louis VI.* (Paris, 1890), no. 350.

<sup>94</sup> Luchoire, *Louis VI.*, nos. 224, 621; cf. nos. 557, 628, 630. The Norman grants of wine from the *modatio* of Rouen are different, being from the proceeds of a toll (levied on every hundred *modii*) instead of from an ordinary storehouse or vineyard. See particularly the Conqueror's charter of (before 1055), giving St. Amand "decimam mee modulationis de Rothomago" (*vidimus* in archives of the Seine-Inférieure); and cf. *Bibliothèque de l'École des Chartes*, XI. 424; Beuarepaire, *Le Vicomté de l'Eau de Rouen* (Rouen, 1856), p. 19.

The older Frankish areas, *pagus*,<sup>95</sup> *centena*,<sup>96</sup> and *vicaria*,<sup>97</sup> have not wholly disappeared, and in some cases the *vicaria* may have become the *vicecomitatus*;<sup>98</sup> but the *vicomte* is a far more important personage than the *voyer* of neighboring lands,<sup>99</sup> and the territory which he rules is considerably larger. Whether the Norman *vicecomes* contributed anything more than his name to the Anglo-Norman sheriff, is a question to which no satisfactory answer can be given until we know more of the functions of both officials before the Conquest.<sup>100</sup> The *vicomte* is a military leader, commanding the duke's troops and guarding his castles;<sup>101</sup> he is charged with the maintenance of order, and may proclaim the duke's ban;<sup>102</sup> he collects the ducal revenues for his district, including the customary dues from the *demesne*;<sup>103</sup> and he administers local justice in the duke's name,<sup>104</sup> assisting the bishop in the enforcement of the Truce of God<sup>105</sup> and doubtless exercising the jurisdiction comprised in the *consuetudines vicecomitatus*.<sup>106</sup> He is a frequent attendant at the duke's *curia*, witnessing charters and taking part in the decision of cases,<sup>107</sup> and he may be specially commissioned to hold a sworn inquest<sup>108</sup> or execute the decision of the court.<sup>109</sup> The office might

<sup>95</sup> See particularly Le Prévost, "Anciennes Divisions Territoriales de la Normandie", in *Mémoires des Antiquaires de Normandie*, XI. 1-59, reprinted in his *Eure*, III. 485-548.

<sup>96</sup> *Mémoires des Antiquaires de Normandie*, XXX. 668; *Gallia Christiana*, XI. instr. 158.

<sup>97</sup> Stapleton, I. lxxxi. "Extra vieriam Belismi", charter of Robert of Bellême, archives of the Orne, H. 2150.

<sup>98</sup> Mayer, *Deutsche und Französische Verfassungsgeschichte* (Leipzig, 1899), I. 357. Their equivalence is implied in Ordericus, II. 470; and in the cartulary of St. Wandrille (in the archives of the Seine-Inférieure), T. iii. 34, where a *vicomte* pledges "*vicecomitatum et viariam suam*" and promises to give up "*supradictam viariam*" if not redeemed (1117).

<sup>99</sup> For Anjou see Halphen, *Moyen Age*, XV. 297-325.

<sup>100</sup> Cf. Stubbs, *Constitutional History*, I. 292, note.

<sup>101</sup> Delisle, *S. Sauveur-le-Vicomte*, pp. 2-3, and pièce 34, where Néel the elder holds the castle of Le Homme "*quia vicecomes erat eiusdem patrie*".

<sup>102</sup> *Gallia Christiana*, XI. 34.

<sup>103</sup> Delisle, *S. Sauveur*, no. 35; Round, *Calendar*, nos. 1169, 1170.

<sup>104</sup> See the account in Ordericus of the *vicomte* of Orbec (III. 371) and particularly the cases at Neaufle "in curia Roberti Normannorum comitis castrum coram Guillelmo Crispino illius terre vicecomite" (Le Prévost, *Eure*, II. 506) and "in curia regis Anglorum apud castrum Nielfam" (*Bibliothèque Nationale*, MS. Baluze, 77, f. 61). William Crispin is also mentioned as *vicomte* of the Vexin in Migne, *Patrologia*, CL. 737; and in MS. Tours 1381, f. 25v.

<sup>105</sup> Council of Lillebonne, c. 1.

<sup>106</sup> See above, notes 45 and 54.

<sup>107</sup> See below, note 149.

<sup>108</sup> *Gallia Christiana*, XI. instr. 65.

<sup>109</sup> MS. Rouen 1193, ff. 31v, 54v. See below, note 141.

become hereditary, as in the Bessin, and the Cotentin,<sup>110</sup> but the annual farm was still due and the duke's control seems to have been maintained.<sup>111</sup> The evidence is not sufficient to enable us to define the relations between the *vicecomitatus* and the *prepositura* in the eleventh century, but it seems probable that they were "from the first convertible names for the same description of jurisdiction, however qualified in extent",<sup>112</sup> in somewhat the same way as the offices of *prévôt* and *voyer* in contemporary Anjou.<sup>113</sup> The scattered *prepositi* who appear in the charters<sup>114</sup> are plainly not men of importance, and, as in the case of the *thelonearii*<sup>115</sup> and *gravarii*,<sup>116</sup> the texts do not always make it possible to distinguish ducal from baronial agents. Beyond the names of various foresters,<sup>117</sup> we get no light on the forest administration, but it is evident that the ducal forests are already extensive and important, and are subject to the special jurisdiction which goes back to the Frankish forest ban<sup>118</sup> and will develop into the forest code of the Anglo-Norman kings. We hear of pleas of the forest,<sup>119</sup> though we do not know by whom they were held; such assaults as are lawful elsewhere are forbidden in the forests,<sup>120</sup> and for offences against the forest law even priests cannot claim their exemption.<sup>121</sup>

The organization of the ducal household is a subject concerning which only provisional statements can be made until the whole body of charters has been collected and the witnesses carefully

<sup>110</sup> Stapleton, *Magni Rotuli*, I. lvii; Lambert, "Les Anciens Vicomtes de Bayeux", *Mémoires de la Société d'Agriculture de Bayeux*, VIII. 233 ff.; Delisle, *Histoire de S. Sauveur-le-Vicomte*, ch. 1.

<sup>111</sup> Ordericus implies the removability of the local officials when he says of the Conqueror, in 1067: "Optimosque iudices et rectores per provincias Neustrie constituit". II. 177.

<sup>112</sup> Stapleton, I. lxi; cf. *Bibliothèque de l'École des Chartes*, XI. 402.

<sup>113</sup> Where the *prévôt* is the more important of the two but exercises the same functions as the *voyer*. *Moyen Age*, XV. 297 ff.

<sup>114</sup> Le Prévost, *Eure*, I. 141, 460, II. 393; Round, *Calendar*, no. 713; *Cartulaire de la Trinité de Rouen*, nos. 24, 27, 42, 44, 51; MS. Lat. 5443, p. 51.

<sup>115</sup> *Gallia Christiana*, XI. instr. 66; Pommeraye, *Histoire de S. Amand*, p. 79; *Cartulaire de la Trinité*, no. 16.

<sup>116</sup> *Cartulaire de la Trinité*, nos. 16, 73, 80; Round, no. 1175; *Revue Catholique de Normandie*, VII. 432.

<sup>117</sup> Round, nos. 1169, 1175; *Cartulaire de la Trinité*, nos. 7, 28, 47, 49, 51, 64, 70; Le Prévost, *Eure*, I. 285, 286, 562.

<sup>118</sup> Waitz, *Deutsche Verfassungsgeschichte*, II. 2, 316, IV. 128 ff.; Liebermann, *Ueber Pseudo-Conuts Constitutiones de Foresta*, pp. 17, 19; Thimme, in *Archiv für Urkundenforschung* (1908), II. 114 ff.

<sup>119</sup> Charters of Robert and William for Cerisy, *Neustria Pia*, pp. 431-432. The count of Mortain also had forest courts. *Bibliothèque de l'École des Chartes*, XI. 444.

<sup>120</sup> *Consuetudines et Iusticie*, c. 7.

<sup>121</sup> Council of Lillebonne, c. 8.

sifted. Certain great officers are clearly distinguishable, particularly after the Conqueror's accession, but further study is needed to determine their number and relative importance and the succession of those who held them. Ralph of Tancarville the chamberlain, Gerold the seneschal, and Hugh of Ivry the butler are familiar figures at William's court,<sup>122</sup> and others appear with the same titles but not always with equal rank. The office of constable, though found as early as Robert I., is apparently of less importance. The clerical element in the household naturally centred in the duke's chapel, which was the point of departure for the development of the secretarial and fiscal sides of the central administration; but while we have the names of several of William's early chaplains,<sup>123</sup> many of whom became bishops in Normandy or in England, very little is known of their secular duties. Certain churches seem to have been constituted chapelries for the chaplains' support,<sup>124</sup> so that the office had some degree of continuity, and the ducal clerks of these days show something of the skill in acquiring desirable houses and lands which is characteristic of their successors in the twelfth century.<sup>125</sup> So far as there was an organized chancery—and this is a question which must, at least for the present, remain open—it was doubtless closely connected with the chapel; but the absence,

<sup>122</sup> The three together sign charters in *Cartulaire de la Trinité de Rouen*, no. 39 (1066); Mabillon, *Annales Ordinis S. Benedicti*, V, 593 (1070). The growing importance of the household officers as compared with the *vicomtes* is evident by a comparison of the witnesses to William's charters with the witnesses of his predecessors'. The statements concerning the ducal household in Harcourt, *His Grace the Steward* (London, 1907), pp. 6-18, need a good deal of correction.

<sup>123</sup> Three witness an early charter in Round, *Calendar*, no. 1165.

<sup>124</sup> "Temporibus Ricardi comitis Normannie et Rotberti eius filii et Willelmi filii predicti Rotberti fuit quidam eorum capellanus Bafois Ernaldus nomine, potens in prediis et domibus infra civitatem et extra civitatem que emerat suo auro atque suo argento. Quo mortuo tempore Willelmi Normannorum ducis Stephanus nepos predicti Ernaldi iure hereditario successit in hereditatem sui avunculi dono Willelmi Normannorum ducis." After Stephen's death and a suit in the king's court the king "accepit in suum dominium possessionem Stephani et dedit eam regine et regina dedit michi concessu regis domos et duodecim acras terre que iam predixi et ortos et omnia que habuerat Stephanus de suo alodio, nam alias res eiusdem Stephani que pertinebant ad ecclesiam sancti Iohannis que erat capella regis dederat iam rex Thome suo clerico nondum archiepiscopo". Notice of Rainaldus the chaplain, MS. Lat. n. a. 1243, f. 80; MS. Fr. 4899, p. 292. This *capellaria* was later held by Samson (*Livre Noir de Bayeux*, no. 4), probably the royal chaplain of that name who became bishop of Worcester in 1096. Both Samson and his brother Thomas were canons and treasurers of Bayeux.

<sup>125</sup> Cf. Round, "Bernard the King's Scribe", *English Historical Review*, XIV, 417-430.

except for two charters of Richard II.,<sup>126</sup> of any mention of a chancellor before 1066 does not preclude the existence of a chancery under the Conqueror. Chancery and chapel were not completely differentiated in Frankish days,<sup>127</sup> and both at the court of Philip I. and at William's English court the chancellor sometimes attested simply as chaplain.<sup>128</sup> It should be remembered that the Conqueror's first chancellor in England, Herfast, had long been his chaplain in Normandy,<sup>129</sup> where he is still called chaplain after his entrance upon the English chancellorship.<sup>130</sup>

Of the *curia* in the wider sense before 1066 it is likewise impossible to speak with the definiteness which it deserves as an antecedent of the English *curia regis*. A comparison of the names of the witnesses to William's charters does not show any great degree of fixity in his *entourage*. The bishops, when present, sign after the members of the ducal family. Then comes a small group of counts and men of similar rank—the counts of Evreux and Mortain, Roger of Beaumont, Roger of Montgomery, William Fitz Osbern—followed by household officers, *vicomtes*, and others. These are the elements which constitute the *curia*, but their function is attestation rather than assent, and, except for the few cases where the charter is expressly declared to be issued in such a gathering,<sup>131</sup> it is impossible

<sup>126</sup> "Hugo cancellarius scripsit et subscripsit." Charter of 1027 for Fécamp, Musée de la Bénédictine, no. 2 *ter*; *Neustria Pia*, p. 215. "Odo cancellarius scripsit et subscripsit." Charter for Dudo of St. Quentin, *Gallia Christiana*, XI. instr. 284. The charter of 1011 for St. Ouen (Pommeraye, *Histoire de S. Ouen*, p. 422) which contains the words "Dudo capellanus composui et scripsi" is an evident forgery, but an authentic charter of 1006 for Fécamp (Musée, no. 1) has "Per Widonem notarium meo rogatu scriptum". "Ego frater Robertus scripsi et subscripsi" appears in a charter for St. Wandrille subscribed by the Conqueror before 1066 (original in MS. Lat. 16738, no. 4); this was probably the Robertus scriptor of a charter for St. Amand (Pommeraye, *Histoire de S. Amand*, p. 78) and the Rodbertus clericus of an early charter for Jumièges (Delisle, *S. Sauveur-le-Vicomte*, no. 16).

<sup>127</sup> On the whole subject of the Frankish chapel see now Lüders, "Capella", *Archiv für Urkundenforschung* (1908), II. 1-100.

<sup>128</sup> For France see Prou, *Actes de Philippe I.*, p. lv; and for England Eyton's note (British Museum, Add. MS. 31943, f. 27v) calling attention to the subscription of Herfast noted below and to that of Maurice as chaplain in 1083 (*Monasticon*, I. 238), two years after he had been made chancellor. Cf. the destructive criticism respecting the Anglo-Saxon chancery by Stevenson, *English Historical Review*, XI. 732 (p. 733, n. 5, throws doubt also on the Norman chancery); and by Hall, *Studies in English Official Historical Documents*, p. 163 ff.

<sup>129</sup> Round, *Calendar*, no. 1165; William of Malmesbury, *Gesta Pontificum*, p. 150.

<sup>130</sup> Round, no. 77, dated 1069, whereas he is chancellor in 1068 (*Monasticon*, VIII. 1324).

<sup>131</sup> Hariulf, ed. Lot, p. 185; Martène and Durand, *Thesaurus*, I. 252; Orde-ricus, II. 40.

to say when the *primates* or *proceres* have met as an assembly. Beyond the old custom of holding an assembly at Fécamp at Easter-tide,<sup>132</sup> our knowledge of the duke's itinerary is too fragmentary to show any such regularity in the court's meetings as we find in England after the Conquest. The *curia* was brought together for purposes of counsel on matters which ranged from a transfer of relics<sup>133</sup> to the invasion of England,<sup>134</sup> and for judicial business. As a judicial body the charters reveal its activity chiefly in cases concerning a monastery's title to land<sup>135</sup>—for the duke's protection naturally carried with it access to his court—but it plainly has wider functions growing out of the judicial supremacy of the duke. It may try barons for high crimes.<sup>136</sup> Disputes respecting the limits of ecclesiastical and baronial jurisdiction must be brought before it,<sup>137</sup> and it is the obvious place for the settlement of other difficulties between the greater tenants, so that it may even be agreed in advance that when a case reaches a certain stage it shall be respite until it can come before the duke.<sup>138</sup> The *curia* is a place of record for agreements,<sup>139</sup> and may itself order a sworn record to be made and attested.<sup>140</sup> It may send officers to partition land.<sup>141</sup> Evidence

<sup>132</sup> William of Jumièges, ed. Duchesne, p. 317; Lot, *Fidèles et Vassaux*, p. 262. We find an Easter court at Fécamp in 1032 (Ordericus, III. 223); 1028 or 1034 (Collection Moreau, XXI. 9); ca. 1056 (Round, no. 1109); 1066 (Le Prévost, *Eure*, I. 149); 1067 (Duchesne, *Scriptores*, p. 211); 1075 (Ordericus, II. 303); 1083 (MS. Rouen 1193, f. 30v). No place is mentioned in *Cartulaire de la Trinité de Rouen*, nos. 28, 82, both issued at Easter. The great privileges of Richard II. for the Norman monasteries were granted at a *curia* held at Fécamp in August (*Neustria Pia*, pp. 215, 398; Le Prévost, *Eure*, I. 285), and Robert I. held a *curia* there in January, 1035 (*Gallia Christiana*, XI. instr. 327).

<sup>133</sup> *Acta Sanctorum*, February, I. 193 (Richard I.).

<sup>134</sup> Freeman, *Norman Conquest*, III. 290 ff.

<sup>135</sup> "Si per illam calumniam damnum aliquod ipsi monachi habuerint, duas reclamaciones in mea corte vel curia faciant." Robert I. for Fécamp, Collection Moreau, XXI. 9. See Delisle, *S. Sauveur-le-Vicomte*, nos. 35, 36, 42; Hariulf, ed. Lot, p. 224; *Cartulaire de la Trinité*, no. 82; Ordericus, II. 310; Deville, *Analyse d'un Cartulaire de S. Etienne de Caen*, p. 20; Round, *Calendar*, nos. 78, 116, 165, 711, 712, 1114, 1170-1172, 1190, 1212.

<sup>136</sup> Ordericus, II. 433. Cf. the case of the abbot of S. Evroul, *ibid.*, II. 81.

<sup>137</sup> Council of Lillebonne, end.

<sup>138</sup> "Dum venit in Monte Sancti Michaelis est in respectu donec coram rege." Agreement between the abbot of Mont St. Michel and William Paine, 1070-1081, *English Historical Review*, XXII. 647. The passage is somewhat obscure (cf. Round, *Calendar*, no. 714), but the meaning of *coram rege* is plain.

<sup>139</sup> Round, nos. 713, 1171, and the charter cited in the preceding note. Cf. the following, from a charter of William as duke: "Me petierunt canonici precepique ut coram Geraldo dapifero meo firmaretur eorum conventio, quod factum est." Deville, *Essai Historique sur S. Georges de Bocheville* (Rouen, 1827), p. 71.

<sup>140</sup> *Gallia Christiana*, XI. instr. 65.

<sup>141</sup> Le Prévost, *Eure*, III. 184. MS. Rouen 1193, ff. 31v, 54v: "Partes . . . quas adquisivit Robertus archiepiscopus iudicio Ricardi comitis et principum

is secured by oath,<sup>142</sup> ordeal,<sup>143</sup> and the wager of battle,<sup>144</sup> and it is altogether probable that the sworn inquest was employed.<sup>145</sup> Where the account is at all explicit, we usually find certain members rendering the decision of the court, sometimes merely as *Urteil-finder* after the case has been heard before the whole *curia*,<sup>146</sup> sometimes as a separate body before which the proceedings are conducted.<sup>147</sup> This does not necessarily involve any stability of organization or specialization of function, but there are indications that more of a beginning had been made in this direction in Normandy than, for example, in the neighboring county of Anjou.<sup>148</sup> Among the men who act as judges we regularly find one or more bishops and a *vicomte*,<sup>149</sup> members of the two classes which had most occasion to become acquainted with the law, and while we do not yet hear of a body of justices and a chief justiciar, it is not impossible that something of the sort may have existed. At the very beginning of William's reign the bishop of Bayeux makes complaint before the archbishop of Rouen, Count Odo of Brittany, Neel the vicomte, *alii-que seniores justiciam regni obtinentes*;<sup>150</sup> and in three other cases the archbishop and Roger of Beaumont appear among the judges.<sup>151</sup> Bishop Geoffrey of Coutances, described by his biographer as immersed in the business of the king and the *curia*,<sup>152</sup> is found in three of the small number of charters where the names of the judges

eius in appendiciis Doverent ad quarum divisionem et saisionem misit Ricardus comes Goscelinum filium Hecdonis et Ricardum vicecomitem filium Tescelini et Radulfum filium episcopi et Osbertum de Augis".

<sup>142</sup> *Livre Noir de Bayeux*, no. 21.

<sup>143</sup> Round, no. 1172; Ordericus, II. 433; *Mémoires de la Société d'Agriculture de Bayeux* (1845), III. 125.

<sup>144</sup> *Neustria Pia*, p. 168 (Round, no. 165).

<sup>145</sup> Brunner, *Schwurgerichte*, p. 270; Pollock and Maitland, second edition, I. 143. The existence of the sworn inquest has mainly to be inferred from its appearance in England shortly after the Conquest and in Normandy in the twelfth century. Cf. Haskins, "The Early Norman Jury", *AMERICAN HISTORICAL REVIEW*, VIII. 613 ff.

<sup>146</sup> Round, no. 1190.

<sup>147</sup> Delisle, *S. Sauveur-le-Vicomte*, nos. 36, 42.

<sup>148</sup> For Anjou see Halphen, in *Revue Historique*, LXXVII. 282.

<sup>149</sup> Delisle, *S. Sauveur-le-Vicomte*, nos. 13, 35, 36, 42; Round, no. 1190. The bishops are prominent in Round, no. 78; in no. 1114 the bishops and abbots are the judges; in no. 1116, two abbots and five laymen. The *curiae* in which the vicomte appears may in some cases have been local. Cf. note 104.

<sup>150</sup> *Livre Noir de Bayeux*, no. 21; Delisle, *S. Sauveur-le-Vicomte*, no. 13. Delisle, p. 3, considers these men to have been regents. Stapleton, I. xxiv, note o, calls them justiciars.

<sup>151</sup> Round, nos. 78, 1190; MS. Lat. n. a. 1243, f. 80.

<sup>152</sup> *Gallia Christiana*, XI. instr. 219.

are given,<sup>153</sup> and it would not be surprising if he served a Norman apprenticeship for his work as judge and Domesday commissioner in England.<sup>154</sup> It is clear that, contrary to Freeman's view of the exclusion of ecclesiastics from the Norman curia,<sup>155</sup> the bishops took an active part in its proceedings, and it is probably among them, rather than in the office of seneschal, that we should seek the origin of the English justiciarship.<sup>156</sup>

If, in conclusion, we try to summarize the constitution of Normandy on the eve of the invasion of England, certain features stand out with reasonable clearness. The organization of Norman society is feudal, with the accompaniments of feudal tenure of land, feudal military organization and private justice, but it is a feudalism which is held in check by a strong ducal power. The military service owing to the duke has been systematically assessed and is regularly enforced. Castles can be built only by the duke's license and must be handed over to him on demand. Private war and the blood feud are carefully restricted, and private jurisdictions are restrained by the reserved jurisdiction of the duke and by the maintenance of a public local administration. The duke keeps a firm hand on the Norman Church, in the matter both of appointments and of jurisdiction. He holds the monopoly of coinage, and is able to collect a considerable part of his income in money. The administrative machinery, though in many respects still primitive, has kept pace with the duke's authority. His local representative, the *vicomte*, is a public officer and not a domanial agent; his revenues are regu-

<sup>153</sup> Delisle, nos. 36, 42; Round, no. 78. In the first two instances he is at the head of the body. The writ in Round, no. 464, evidently relates to England and not to Normandy, for an examination of the original in the archives of the Calvados shows that the archbishop's initial is not J but L (*i. e.*, Lanfranc).

<sup>154</sup> On his work in England see Round, *Feudal England*, pp. 133-134, 138, 460; Stubbs, *Constitutional History*, I. 375.

<sup>155</sup> *Norman Conquest*, I. 172, III. 290.

<sup>156</sup> Stubbs's view of the derivation of the justiciarship from the seneschalship (*l. c.*, I. 375) has also been criticized by Harcourt, *His Grace the Steward*, pp. 11-18, but on the untenable ground that William Fitz-Osbern "was never dapifer to William". In addition to the statements of the chroniclers, which Harcourt seeks to explain away, Fitz-Osbern witnesses as dapifer, along with the dapifer Gerold, in a charter for St. Ouen (Collection Moreau, XXII. 110v, from the original; Cartulary of St. Ouen, in archives of the Seine-Inférieure, 28 bis, no. 338), and issues a charter for St. Denis in which he styles himself "ego Willelmus Osborni filius consul et dapifer Willelmi Anglorum regis" (Archives Nationales, LL. 1158, p. 590). The problem of interest as regards Fitz-Osbern is not so much his seneschalship as his title of *comes palatii* and *magister militum* (Ordericus, II. 265; *Cartulaire de la Trinité*, no. 67) and his father's position as *procurator principalis domus* (William of Jumièges, ed. Duchesne, p. 268).

larly collected; and something has been done toward creating organs of fiscal control and of judicial administration. The system shows strength, and it shows organizing power. In some directions, as in the fixing of military obligations, this organizing force may have been at work before the Conqueror's time, but much must have been due to his efforts. Stark and stern and wrathful, whether we read of him in the classic phrases of William of Poitiers or in the simple speech of the Old English chronicle, the personality of William the Conqueror stands out pre-eminent in the midst of a conquering race, but it does not stand alone. The Norman barons shared the high-handed and masterful character of their leader, and the history of Norman rule in southern Italy and Sicily shows that the Norman genius for political organization was not confined to the dukes of Rouen. For William and for his followers the conquest of England only gave a wider field for qualities of state-building which had already shown themselves in Normandy.

CHARLES H. HASKINS.

## THE FORMATION AND CONSTITUTION OF THE BURGUNDIAN STATE (FIFTEENTH AND SIXTEENTH CENTURIES)<sup>1</sup>

IN the Europe of the fifteenth and sixteenth centuries, the state created in the Netherlands by the four dukes of Burgundy who succeeded one another from Philip the Bold (1384-1404) to Charles the Bold (1467-1477), and perfected later by Charles V., occupied a unique position, and presented special characteristics which differentiated it so completely from the other political organisms of the time, that it merits more attention from the historian than it has heretofore been accorded. The study both of its formation and of its governing institutions is, in fact, of a nature to throw new light upon the policy of princes at the beginning of modern times: upon the obstacles which this policy had to combat, the circumstances which favored it, and in short, its connection with the social and economic life of that epoch.

But, to begin with, what is meant by the expression, Burgundian state? It is a modern term, and did not make its appearance before the end of the nineteenth century. It was invented to provide an exact designation for the political union in which, between the end of the fourteenth century and the middle of the sixteenth, the seventeen provinces of the Netherlands were joined under the authority of a single princely house. Although for a long time this house possessed the duchy and county of Burgundy as well, these two territories formed no part of the state which it built up, the state we are undertaking to describe. The union between them was simply a personal one, and indeed, the Burgundian state of the North never had anything in common with the two Burgundies; it possessed its own life, entirely independent of theirs, and the institutions by which it was governed did not extend their action beyond its frontiers.

Although the name Burgundian state is modern, it is not arbitrary, but is based on historic fact and on tradition. The chroniclers and historians of the fifteenth and sixteenth centuries

<sup>1</sup> This article reproduces, with certain alterations, a paper read before the International Congress of Historical Sciences at Berlin, August 10, 1908, by Professor Henri Pirenne of the University of Ghent.

regularly give the name Burgundians to the inhabitants of Belgo-Netherland provinces. The briquet of Burgundy<sup>2</sup> was at the same epoch the national emblem of these lands, where it is still to be seen carved on the fronts of their town halls and on the keystones of their churches. Circle of Burgundy is the name given under Maximilian and under Charles the Fifth to the circle of the Empire which embraced these lands. In the early part of the sixteenth century, it is true, the humanists gave up the old appellation and substituted that of *Belgica* or Belgium, which was supplied to them by antiquity, and which, reappearing after centuries, designates the kingdom of Belgium to-day. Nevertheless, even in the seventeenth century, curious traces of the early state of affairs are to be found. It will be sufficient to call to mind here that at the end of the Spanish régime the vessels of the Catholic Netherlands (the Belgium of to-day) still bore on their flags the arms of the house of Burgundy.

The name, indeed, is merely a detail. The essential thing is to prove the long duration of this Burgundian state, established at the dawn of modern times between France and Germany, and represented on the map of Europe to-day by the kingdoms of Belgium and Holland. From the fifteenth century until the great upheaval produced by the French conquest at the end of the eighteenth, Burgundian institutions remained at the basis of the institutions of these two countries whose political destinies were so different, and it can be said with absolute truth that both of them, the Republic of the United Provinces and the Catholic Netherlands, retained to the end the clearly defined marks of their common Burgundian origin.

In spite of appearances, then, and notwithstanding the great transformations which it underwent, first at the end of the sixteenth century, through the separation of the Calvinist provinces of the north from the Catholic provinces of the south, and later in the course of the seventeenth century through the conquests of Louis XIV. in Artois, Flanders and Hainaut, the Burgundian state had a very long existence. This length of life may at first sight appear remarkable, for it would seem that the characteristics which made it a thing unique in Europe, denied to it all the conditions indispensable to the maintenance of a political organism.

It must first be made clear, that although it belonged to the group of territorial states (*Territorialstaaten*) formed at the end of the Middle Ages, it differed from them in a very noteworthy

<sup>2</sup> The name *briquet de Bourgogne* is used to designate the links of the collar of the Order of the Golden Fleece.

manner. Like those states, it was the work of a princely house, and not of a monarchy, and, again like them, it consisted of an agglomeration of lands originally independent of one another. But while the other territorial states were built up of districts subject to the same suzerainty, it united regions dependent on Germany (Brabant, Hainaut, Holland, Zeeland, Luxemburg, etc.) with regions dependent on France (Artois, Flanders). It included within its frontiers a fragment of each of the two great states between which it lay. Its princes, until the reign of Charles V., were at the same time vassals of the emperors and vassals of the Valois. In short, the Burgundian state appears to us as essentially a frontier state, or, to speak more exactly, as a state made up of the frontier provinces of two kingdoms. The Scheldt, the most important of its commercial routes, separated *Francia Occidentalis* from *Francia Orientalis*, from the time of the Treaty of Verdun (843).

Of a hybrid nature even from this first point of view, the Burgundian state was still more so if we consider the peoples who dwelt in it. It was crossed not only by a political, but also by a linguistic frontier. Lacking unity of feudal dependence, it lacked, in a manner still more striking, national unity. It united a group of Romanic with a group of Germanic population. Walloons occupied all the southern portions—Namur, Hainaut, Artois, Gallic Flanders and southern Brabant; while people of Netherland speech, of Frankish or Frisian origin, dwelt in the northern provinces. A frontier state between two kingdoms, it was still more a frontier state between two tongues. By a singular coincidence, it constituted at the same time the point of contact between the two great states of Western Europe, France and Germany, and the two great peoples that have formed European civilization, the Germanic and the Romanic.

Finally, in addition to these two peculiarities we must mention a third. For the Burgundian state had no more geographic than it had political or linguistic unity. Except in the southeast, where it was protected by the hills of the Ardennes, it was open on all sides. Outlined on the great plain of northern Europe, it presented no natural obstacles, either on the side of Germany or on that of France. Of the three rivers which crossed it, the Rhine, the Meuse and the Scheldt, not one has its source on Burgundian soil.

Thus, from whatever side it is regarded, this state at first sight appears to have been the work of arbitrary will, and of chance.

It seems nothing more than a confused assemblage of heterogeneous territories and of people still more heterogeneous; a sort of defiance that grasping and ambitious princes, favored by circumstances, hurled in the face of nature and of history. And in fact, in the fifteenth century, Charles VII. and Louis XI. in France, and the Emperor Sigismund in Germany, regarded it as something illegal and monstrous, the hateful result of an abominable usurpation. In our days a large number of historians have passed a similar judgment upon it. The French are unanimous in considering it a work of usurpation and violence accomplished by traitorous princes who endeavored to ruin the house of Valois from which they sprang by raising against it a rival power. In the Netherlands themselves, there is no lack of writers who, taking into account solely the resistance raised by provincial particularism against the dukes of Burgundy, see in the latter nothing more than grasping and brutal tyrants, trampling underfoot the national liberties, and owing their success to violence alone.

It is not difficult to demonstrate that these opinions, inspired by national considerations or by an abstract liberalism which fails to take into account the conditions of existence in the society of the end of the Middle Ages, have no correspondence to historical fact. Far from having suddenly interrupted the course of destiny in the Netherlands, and from owing its birth merely to the caprice of bold adventurers, the Burgundian state appeared as the climax of a long historical evolution. It was the result of the co-operation of a number of political, social and economic forces, the action of which begins to be perceptible in the early Middle Ages, in those frontier territories which it brought together. In spite of appearances, its constitution, though at first sight strange, is perfectly natural. The special characteristics which it exhibits have their sources, in fact, in all the earlier history of the Netherlands. Undoubtedly a combination of favorable circumstances, or the chance, if such it may be called, which at a given moment extinguished dynasties, threw open successions, and caused the outbreak of military and diplomatic conflicts, contributed largely to the success of the work achieved by the dukes of Burgundy. But is it not the same with all human events, and is not the important thing in this case to distinguish, beneath the chance multiplicity of changing circumstances, the profound and permanent tendency, of which these circumstances have done no more than to hasten the final result?

After the end of the Carolingian period, the diplomacy which in modern times was so frequently to alter the map of Belgium had forced the lands destined to form at a later period the Burgundian state, to undergo a division which took absolutely no account of the nationality of their inhabitants. By the treaty of Verdun, later confirmed by other treaties which we need not consider here, the region lying on the left bank of the Scheldt had been assigned to *Francia Occidentalis*, that is, to France, while the region on the right bank, after having constituted for some time the kingdom of Lotharingia, was at the beginning of the tenth century again joined with *Francia Orientalis*, or Germany. Instead of following from east to west the boundary of language, the frontier thus established from north to south cut it through the centre and assigned alike to France and to Germany a group of Flemish and a group of Walloon population. The future bilingualism of the Burgundian state is thus to be found from the beginning in the countries where that state was to establish itself five hundred years later.

And it is exceedingly interesting to show that the state of things created by Carolingian diplomacy prevailed without bringing about the least attempt at revolt on the part of the population. In the course of the history of the Netherlands, in fact, no event is to be found which presents the appearance of a race-struggle. The Flemings made no attempt to separate from the Walloons, nor the Walloons to form a group apart from their compatriots of Germanic speech. Nor did the one people attempt to dominate the other and reduce it to a subordinate position. The linguistic frontier which in the ninth century might have become a political frontier, and in that case would undoubtedly have modified for all time the course of history in these lands, never became such a frontier. On the contrary, when, beginning from the tenth century, the territorial principalities were being formed, many of them presented this same bilingual character shown by the whole country. The county of Flanders, the duchy of Brabant, the duchy of Limburg, the duchy of Luxemburg, the principality of Liège, all included within their frontiers a group of Germanic and a group of Romanic people; they were at the same time Flemish<sup>a</sup> and Walloon. The two regions of the Netherlands, given, under the above conditions, the one to France and the other to Germany, began immediately to detach themselves little by little from their suzerains. As long as the

<sup>a</sup> I use this expression for convenience, although it cannot be strictly applied to Luxemburg, whose Germanic-speaking inhabitants are not properly called Flemings.

power of the emperors remained vigorous, Lotharingia, under the government of the dukes and bishops appointed by the Saxon and Franconian monarchs, was one of the important provinces of the Empire. But after the upheaval caused by the War of Investitures, the power of Germany grew rapidly weaker in the regions between the Meuse and the Scheldt. Henry V. was the last emperor to appear there in person. After him, his successors—except during a period including the reign of Frederick Barbarossa—became less and less interested in the fate of this far-off land, situated at the extremity of the Empire. They abandoned it to itself, contenting themselves with preserving a supremacy which from day to day became more purely nominal. Thenceforth the Lotharingian princes became accustomed to no longer troubling their minds about their suzerain. There is no evidence of any hostility toward him, but, neglected by him, they insensibly formed the habit of having no more recourse to his authority. They assisted no longer at the elections of the kings of the Romans; they regulated their affairs according to their own good pleasure. Even under Frederick Barbarossa, Count Baldwin of Hainaut (1171–1195), though the most faithful of the emperor's vassals, regarded himself in reality as neutral between France and Germany.

The increasing power of the kings of France after the first half of the twelfth century contributed largely in its turn to cut off the Lotharingian provinces from the Empire. Not only did the Capetians, from Philip Augustus on, renew the ancient claims of the French Carolingians to that country, but the feudal princes, in their quarrels with one another, soon formed the habit of having recourse to the support of the king, who naturally asked nothing better than to mix more and more in their affairs and thus extend his influence over them. In the thirteenth century, the long war which set at odds the houses of Avesnes and of Dampierre presented a characteristic example of the constant growth of the French hegemony in the imperial portion of the Netherlands to the detriment of the German suzerainty. John of Avesnes appealed to Rudolph of Hapsburg, warning him, in the most pressing terms, that the absorption of Lotharingia by France was imminent, but his exhortations were vain. Rudolph went no further than to forbid it in useless decrees, while Louis IX. intervened actively on the side of the Dampierres and did not hesitate to send a French army into Hainaut, which was imperial soil. A little later, while the King of the Romans abstained from intervening in the conflict

which ended after the battle of Worringen in the annexation of the duchy of Limburg to the duchy of Brabant (1288), it was again France which offered arbitration to the belligerents and took a hand in their affairs as if it were a question of her own vassals.

But although the Lotharingian princes eagerly sought the aid of France, they did not mean to pass under its rule. They conveniently recalled that they owed allegiance to the Empire when they felt themselves too closely pressed by the Capetian, and in the fourteenth century a goodly number of them profited by the Hundred Years' War to attack his influence by a timely espousal of the cause of England. Louis of Bavaria did not know how to take advantage of this situation to win back to the Empire on its western frontier the prestige that it had lost. After him, Charles IV. of Luxemburg paid more active attention to the Netherlands. He succeeded in marrying his brother Wenzel to Joanna, the heiress of Brabant (1347). But his policy in this affair was purely dynastic. It had in view only the interests of the house of Luxemburg, not those of the Empire. Instead of assuming toward Joanna the attitude of a sovereign, he treated with her as equal with equal. He did so little toward restoring the German influence that the Duchess, to demonstrate her independence of the Empire, did not fear to declare that Brabant constituted an allod, which she held of God alone. How, moreover, could the imperial prestige have been re-established in the Netherlands, at the time when the intestine quarrel which in Germany was setting at odds the houses of Bavaria and Luxemburg, had extended to these countries? For about the same time that Wenzel of Luxemburg married Joanna of Brabant, Margaret of Bavaria inherited Hainaut and Holland (1345). This introduction of two German houses into the basins of the Scheldt and the Meuse might, it is true, have re-established between that region and Germany a certain community of political life and renewed between them the bonds which had so long been loosened. But nothing of the sort occurred, for, instead of depending on Germany, Wenzel as well as the Bavarian princes imitated the conduct of the Belgian princes whom they had succeeded, and it was toward France and England that they turned their attention. As a matter of fact, the introduction into Lotharingia of two dynasties of German origin in no wise retarded the evolution that we have briefly sketched above. Never before had the authority of the Empire over the Netherlands been so disregarded as it was at the end of the fourteenth century.

While Lotharingia was thus completing the centrifugal movement that detached it from the Empire, Flanders, on its side, was escaping from French suzerainty. It was escaping, it is true, under conditions and through vicissitudes very different from those just considered. And this is not at all strange. As a consequence of their intermediate position between the two great states of western Europe, to both of which the Netherlands owed allegiance for half their territory, they of necessity felt the rebound of their political fluctuations. Now at the same moment that the German power decreased the French power increased, and as a necessary result. Lotharingia, vassal of the former, naturally attained a practical independence which Flanders, vassal of the latter, could win only through the most painful efforts.

It had begun by enjoying an almost complete autonomy, from the end of the ninth century until the beginning of the twelfth. For in the early Middle Ages the kings of France, again in contrast to Germany, were as weak as the Saxon and Franconian monarchs were formidable. So at the period when Lotharingia obeyed its dukes and bishops, the counts of Flanders, regardless of their impotent suzerain, were establishing from the Scheldt to the Canche a compact principality where they exercised a quasi-royal power. But the scene changed when, beginning with the reign of Louis VI., the monarchy, having slowly augmented its strength, undertook to bring all the great vassals under the power of the crown. From that time until the end of the fourteenth century, the struggle between the Capetians and the county was almost uninterrupted. In this struggle, the Flemish princes would undoubtedly have succumbed, as did almost all the princes of the kingdom, if most of them had not been able to depend upon two powerful auxiliaries. For England, ancient rival of France, did not refuse its support, and thus just as territorial policy in Lotharingia is associated with the conflict of France and Germany, so in Flanders it is bound up with the conflict of Capetian and Plantagenet. Moreover, from the beginning of the fourteenth century, the great Flemish communes openly took sides against France, both because they saw in her the stay of the patrician régime which they had overthrown, and because the needs of their cloth industry necessarily ranged them on the side of England; for by suspending the exportation of her wool to the Continent—and in fact she did this several times—she could have ruined them. Nevertheless, in its heroic conflict with France, Flanders lost a considerable portion of its territory.

Under Philip Augustus, it was obliged to sacrifice the district which thenceforth formed the county of Artois. Under Philip the Fair, it saw itself robbed of the territory of Lille, Douay and Béthune. For one brief moment it was even annexed to the crown. But the glorious day of Courtrai (July 11, 1302) when the artisans of Bruges and the Flemings of the coast triumphed over the royal forces, restored to it an independence which its participation in the Hundred Years' War enabled it to maintain effectually in the midst of the social agitations of which it was almost constantly the scene in the fourteenth century. Moreover, the losses which it had undergone, and which had robbed it of all its Romanic region in the south, had made of it a purely Germanic land, and it thenceforth brought to its resistance to France an energy so much the greater in that it now rested on a national contrast. In the second half of the fourteenth century Count Louis de Male (1346-1384) dared openly to brave the King of France; he refused to do him homage for his fief, and united his policy closely to that of England. Thus at the same epoch and in spite of the difference in the causes that produced this result, both of the constituent parts of the Netherlands, Flanders and Lotharingia, won, if not a legal, at least an actual separation from the two states of which they formed, in the one case the extreme western point, in the other the extreme northern. In reality, thanks to the fluctuation of European politics, whose changing currents dashed themselves against this frontier land, they became, so to speak, *res nullius*.

But at the same time that the ties which bound Lotharingia to Germany and Flanders to France were thus giving way, other ties were slowly forming between these two fragments of states, and were tending to make of them a political community, in which we discover the distant origin of that new state which the dukes of Burgundy were to create in the fifteenth century. Flanders and Lotharingia, each bilingual, and in this way each, if the expression is permissible, a prolongation of the other, found no obstacle to the impulse toward concentration which was moving them to union, either in the linguistic frontier which crossed their territory without dividing it, or in the political frontier marked by the Scheldt, which was for both the principal highway of commerce. This impulse began to show itself in the eleventh century, in the history of the local dynasties. After 1051 the counts of Flanders became at the same time counts of Hainaut; then they lost this territory, whose princes became in their turn counts of Flanders in 1191, and re-

tained the title until in 1280 French policy succeeded in separating these two countries. In 1288, Brabant was joined to Limburg; in 1299 the counts of Hainaut obtained the succession in Holland and in Zeeland; in 1361 the county of Loos united with the principality of Liège; in 1357 Louis de Male added to Flanders the cities of Mechlin and Antwerp.

But without attempting to deny their importance, it is possible to hold that these relations established by princely dynasties between Flanders and Lotharingia would not have sufficed to unite these two countries had not their action been re-enforced by a motive much more powerful, since it answered a primordial need of these countries. For the work of unification was undertaken, not alone by the princes, but especially and much more energetically by the people of the towns.

It is well known that in no country of western Europe did cities spring up more thickly or develop more rapidly than in the basins of the Scheldt and the Meuse. The geographical situation which made of this country the point of junction of the two great commercial highways which, the one along the Rhine and the other through France, brought the shores of the North Sea into touch with Italy, encouraged at a very early period the commerce of the *portus*, which, in the course of the tenth century, appeared along the Belgian rivers. At the end of the following century, these *portus* became cities, and these cities, founded under the influence of commerce, were all essentially merchant towns. Far from constituting merely local markets patronized by the dwellers in the surrounding country, they all devoted themselves to foreign commerce. Their merchants, grouped in guilds or hanses, traversed with their caravans the neighboring countries: Northern France and Champagne, Rhenish Germany, above all, England. The cloth industry which developed with incredible vitality in Flanders, Brabant and Western Hainaut, the copper industry which rivalled it in activity in the valley of the Meuse, furnished these merchants with products of exchange in constantly increasing number, and clearly presented the character of export industries.

Equipped thus in very early times with a commerce and an industry greatly surpassing their local needs, it was indispensable that the towns should seek to come to an understanding and unite for the defense and protection of their merchants abroad. In spite of the scarcity of our information, we know enough to establish the fact that, in the course of the twelfth century, they were acting

in common accord; were uniting their guilds and were issuing from their municipal isolation to watch in common over their most powerful interests. It is in Flanders, the most advanced of the territories from the economic point of view, that we see most clearly, in the famous London Hansa, this curious movement of urban association, but there is no lack of indications of similar manifestations in Brabant and in the territory of Liège.

However, though the towns of the same principality were allying themselves more and more closely, we do not observe, before the thirteenth century, that the principalities themselves sought to conclude with one another any economic agreements. Indeed, as long as the commerce was carried on essentially overland, it is observable that the economic activity of the country tended in two different directions. Flanders carried on active relations especially with England and with France, where its merchants appeared by hundreds at the celebrated fairs of Champagne. On the contrary, it is rather toward Germany, and especially toward Cologne, that the commerce of Brabant and the Liège towns directed itself.

But the development of navigation was to put an end to this situation. The extraordinary development of the port of Bruges during the thirteenth century soon exercised such an attraction that the economic activity of Belgium, until then divided between two opposite tendencies, began to show a westward trend. The coast, where, besides Bruges, Antwerp soon formed another outlet on the sea, drew toward it the merchants of the whole country, and the whole economic life flowed henceforth in a single stream. The regions of the interior formed henceforth merely the *Hinterland* of the ports of the Zwyn or the Scheldt. A single example will suffice to indicate the change. Until the end of the twelfth century the "*batteurs*" of Dinant exported their copper products and provided themselves with raw material by way of Cologne. From the following century they abandoned the metropolis on the Rhine to frequent, almost exclusively, the market-places of Bruges or Antwerp. The fact that all the commerce of the southern Netherlands flowed toward the sea evidently helped greatly to favor that consolidating of the various districts already begun by the policy of the princes. It was thenceforth a fundamental necessity for all the cities of the region to be able to count on the freedom of the routes leading toward the ports, to see the number of market tolls thereon diminished, and especially to remove the excuses for the armed conflicts which interrupted transit. Also, after the

beginning of the fourteenth century, treaties of alliance, of arbitration, of monetary agreement, multiplied between the principalities. Of all these the most celebrated is that which, in 1339, in the days of James van Artevelde, established a commercial agreement between Flanders, Brabant, Hainaut, Holland and Zeeland. But alongside this celebrated document, a quantity of similar conventions witness also to the constant increase in the economic solidarity of the country. In 1356 the Brabanters caused to be inscribed in the *Joyeuse Entrée* the principle of perpetual peace both with Flanders and with the territory of Liège.

It is useless to press the point further. We have said enough to prove that, whether it is considered in its political manifestations or in its economic activity, history presents us with the spectacle of a more and more manifest amalgamation of the different territories of the Netherlands, during the Middle Ages. When a propitious occasion appeared, the movement thus begun was completed by the union in a single state of these principalities, which, in spite of their different suzerains and their differing tongues, had been so long urged toward one another.

Now this occasion presented itself during the second half of the fourteenth century. The extinction, within a period of a few years, of the male descendants of the dynasties of Brabant, Hainaut, Holland and Flanders, brought into the country, in accordance with the regular operation of the right of succession, three foreign houses. Two of these houses were German: that of Bavaria (Hainaut-Holland) and that of Luxemburg (Brabant-Limburg); the third, that of Burgundy (Flanders and Artois), was French.

It was inevitable that among these three houses, all of royal or imperial origin, and all consequently implicated in the international politics of their time, a conflict should arise for the possession of the Netherlands. But it was also inevitable that the outcome of the conflict should be favorable to the house of Burgundy. We have already said that the Empire, grown weak, and fallen a prey to internal struggles, did nothing to aid Bavaria and Luxemburg, whose family rivalry in any case prevented their arriving at a mutual understanding. The Burgundians, on the contrary, were able from the beginning to depend on France, which during the reign of Charles VI. put its armies and treasury generously at their disposal. How could this have been otherwise? The marriage (1369) of Philip the Bold, duke of Burgundy, with the heiress of Flanders

and Artois,<sup>4</sup> Margaret, daughter of Count Louis de Male, had been the work of French policy. Charles V., who had brought it about, had seen in it the means of finally solving the Flemish question by gaining the country for a prince of the royal family.<sup>5</sup> He could flatter himself, on dying, that he had at last assured the annexation to his kingdom of this rich and warlike territory.

In reality, he was entirely at fault in his calculations. Transplanted to the Netherlands, the Burgundian dynasty made use of France only to aid its own undertakings, and far from conducting itself as an instrument of French policy, it was the house of Burgundy for which was reserved the task of definitely breaking the bonds which still attached Flanders to the kingdom, and of founding in the Netherlands a state which was soon to become a dangerous enemy to France. The dukes of Burgundy made use of their close relationship with the Valois only to augment their prestige and influence in the North. This was already apparent in the reign of Philip the Bold, who, to win the good will of the Duchess of Brabant and persuade her to break the treaty by which she had promised the succession to the house of Luxemburg, led a French army against the Duke of Guelders, an enemy of the elderly princess, and caused the royal treasury enormous expenditures by which he was the only one to profit. At the end of the expedition, Joanna of Brabant did in fact recognize as her heir Philip's second son, Anthony, and, taking no account of the protests of the Emperor, thus afforded the house of Burgundy a footing on the right bank of the Scheldt.

Contemporaries, it is true, did not at once comprehend the import of the events which had just occurred. To them, the advance of the house of Burgundy at first appeared—as had formerly the gain of the Dampierres upon the Avesnes—a step towards the absorption of Belgium by France. Sigismund expressed this thought very clearly when he exclaimed to the Brabantine ambassadors sent by Anthony: "You wish, then, to become French!"

He was to be undeceived in the near future. For the successor of Philip the Bold, his son John the Fearless (1404-1419), prepared at once for a definite break with the Valois. In the fierce struggle between France and England it is clearly toward the latter power that he shaped his policy. Undoubtedly his personal ambition, his rivalry with the Duke of Orleans and the Armagnacs, partly ex-

<sup>4</sup> Artois, separated from Flanders under Philip Augustus, came back into the power of Louis de Male by the succession of his mother.

<sup>5</sup> Philip the Bold was his own brother.

plained this attitude, but it was explained still more clearly by the interests of his county of Flanders. Plainly, the Burgundian dynasty began, with his reign, to be acclimated in the Netherlands. It rapidly lost the marks of its French origin, in precisely the way that the houses of Bavaria and Luxemburg, as we have shown above, had lost the marks of their German origin. For the territories of the Netherlands were so rich, and therefore formed a possession so valuable, that they could not fail at once to take the first place in the minds of the foreign princes who became established there. They absorbed, so to speak, their new sovereigns, and soon made of the dukes of Burgundy who came to them as agents of French policy, the founders of their political unity.

It is during the reign of Philip the Good (1419-1467), son of John the Fearless, that this great work was accomplished, with astonishing ease and rapidity. Thanks to the renewal of the Hundred Years' War, during which Philip fought for sixteen years on the English side, the Valois could make no opposition to his progress, and the Emperor, too, was entirely helpless. It must moreover be recognized that chance constantly favored the designs of the Duke. In 1430, at the death of Duke Philip of Brabant, the estates of the duchy unanimously received him as the successor of their prince. Then he forced Jacqueline of Bavaria to recognize him as her heir, and obtained thus, at the death of that unfortunate princess (1428), the counties of Hainaut, Holland and Zeeland, together with the lordship of West Friesland. He bought in 1421 the county of Namur, and purchased of Elizabeth of Görlitz her claims to the duchy of Luxemburg. If we add that he succeeded in establishing his protectorate over the bishoprics of Liège, Utrecht and Tournay, by having his relatives appointed there, it will be seen that it took this skilful man little more than twenty years to accomplish the unification of the Netherlands. For although the Burgundian state was destined to conquer still other provinces, it was in its essential portions established in the reign of Philip the Good. The territories which he brought under his sceptre always remained the essential part; what was to be added later formed merely appendages, and it is with reason that Justus Lipsius gave the great duke the name of *Conditor Belgii*.

The facility with which the results just enumerated were attained proves to what extent they were prepared by history. If it can truly be said that the territorial principalities did not of themselves seek the Burgundian rule, at least it is clear that they accepted it

without serious resistance. The struggle of Philip the Good with Jacqueline of Bavaria, supported by her husband the Duke of Gloucester and the feudal party of the Hoeks, in no wise bore the character of a national war.<sup>6</sup> On the contrary the cities of Holland espoused against their hereditary princess the cause of her rival, and it may be said that the Burgundian rule was established in the North by the will of the people of the cities. It is only in the territory of Liège that this régime was the object of a lively antipathy. The episcopal principality, which had become under its later bishops a genuine republic dominated by its capital, did not intend, in accepting the protectorate of the duke, to lose the liberties which it had acquired, and its population, both Walloon and Flemish, united against him in the same spirit of resistance.

Charles the Bold (1467-1477) completed and at the same time endangered the work of his father. He completed it in seeking to extend his power over Guelders and Friesland, the annexation of which was to make of the Zuyder Zee a Burgundian lake. He endangered it on the other hand by the violence of his ambition, which, after having rendered all his subjects discontented, led him finally to the catastrophe of Nancy. There is nothing astonishing in the speedy outbreak of an almost unanimous reaction against the ducal rule. To be sure, the Burgundian provinces did not seek to separate from one another. The Great Privilege which they forced the heir of Charles the Bold to grant them in 1477 left their union unbroken. But by substituting for the power of the prince the power of the States General as the central authority of the state, they actually transformed the state into a confederation of autonomous territories. It was too evident that such a confederation would have been incapable of defending itself against such an adversary as Louis XI., whose policy immediately after Nancy aimed at the complete ruin of the house of Burgundy. And so, scarcely had Maximilian of Austria married Mary of Burgundy, when he is found devoting himself energetically to the restoration of the monarchical régime set up by his predecessors. From 1477 to 1493, he unceasingly resisted the territorial particularism openly sustained by France, which used against him the suspicions bred

<sup>6</sup> The opinion of Löher, (*Jakobäa von Bayern und ihre Zeit*), who sees in the struggle between Philip and Jacqueline a struggle between the Romanic and the Germanic elements, is historically untenable. See on this point Colenbrander, *De Belgische Ontwetteling* (1906), p. 43. It is safe to say that the question of race is nowhere met with in the history of the formation of the Burgundian state.

by the fact that he was a foreigner. But when with Philip the Fair (1493-1506) a national prince again mounted the throne, the lost ground was at once regained. The princely prerogatives were again in force, the great central institutions of the state were restored, and the States General, instead of persisting in their role of systematic opposition, henceforth co-operated with the sovereign. It is from this time forward that the Burgundian rule became popular in the Netherlands, and sent down, so to speak, far-reaching roots. The great nobles, part of whom, under Maximilian, had taken sides against the prince, henceforth grouped themselves in a body about him, entered his councils and shared the highest offices of the state, the maintenance of which became the indispensable condition of the prestige which they enjoyed.

Philip the Fair had neither the time nor the disposition to pursue the projects of Charles the Bold and of Maximilian with regard to Guelders and Friesland. His reign, essentially pacific, went no further than the strengthening of the union between the old provinces, and saw the accomplishment of no conquests. But Charles V. was to complete the annexations which constituted, after 1543, the union of the seventeen provinces. He won Tournay from France in 1521, acquired Friesland in 1523, Overijssel and Utrecht in 1528, Groningen in 1536, and finally Guelders in 1543. Henceforth the Burgundian state was complete, and would receive no further aggrandizement.

The annexations of Charles V., quite unlike those brought about by Philip the Good, were all accomplished through war. The very energetic resistance which he had to overcome, and which was directed almost continually by the famous Duke Charles of Guelders, is not fully explained by the energetic intervention of Francis I. in the affairs of the Netherlands; to understand it, it is necessary to observe that the territories subjugated by the emperor had had, until the end of the fifteenth century, relations much less close with the old Burgundian provinces than those which had existed between the latter since the early Middle Ages. Guelders was more German than Netherlandish. As for Friesland and its dependencies, where dwelt a population as different in its speech as in its state of society from that of the county of Holland, it had struggled energetically from the twelfth century on against Holland's attempts at annexation. These attempts, which were finally successful under Charles V., proved that his conquests on the right bank

of the Zuyder Zee and the Yssel were something more than the results of his ambition. To complete the building of the Netherlands and assure their security it was indispensable that they should surround on all sides the inland sea which indented them on the North and that they should absorb the duchy of Guelders, the point of which, advancing between the Meuse and the Waal, menaced at the same time Utrecht, Holland and Brabant. Charles V., in uniting them to the territories of the west, did no more, as we have seen above, than take his inspiration from a plan already completely outlined in the days of Charles the Bold.

This assemblage of seventeen provinces, then, half Romanic and half Germanic, which constituted the Burgundian state at its completion, was composed of two clearly distinct groups of territories. The first, lying in the basins of the Meuse and the Scheldt, and extending along the North Sea west of the Zuyder Zee, was formed during the reign of Philip the Good, by virtue of a long historic evolution and without encountering serious opposition, except in the territory of Liège, which reassumed its autonomy in 1477, and retained it until the end of the eighteenth century. The second, on the contrary, a necessary aggrandizement of the Burgundian possessions, was the result of a war of conquest, and was built up only by means of violent annexations. Still, once accomplished, these annexations were permanent. The advantages which they found in their union with the Burgundian state soon reconciled the populations which had struggled with the greatest energy against it. Thenceforth they no longer sought a separation. It is true that they always played a less active part than the old provinces in the political life of the state, and it was only toward the end of the sixteenth century that the constitution of the Republic of the United Provinces attached them indivisibly to the territories of the west.

At the same time that the Burgundian state was forming by the union of the territories of the Netherlands under the authority of a single dynasty, it finally severed the ties, already loosened, which still bound it to France and Germany. Already in 1435, by the peace of Arras, Philip the Good had secured from Charles VII. release from his position as vassal of the crown. On the other hand, he neglected to pay homage to the emperor for his Lotharingian lands, so that he appeared in reality as an independent monarch. The memory of the ancient kingdom of Lothaire

certainly haunted his mind and the mind of his principal counsellors,<sup>7</sup> and inspired him with the ambition to obtain in his turn a royal title. His son Charles was for an instant on the point of realizing this project, which would have set the final seal on the sovereignty of his house, and if after him there was no longer any serious question of raising the Netherlands to the rank of a kingdom, the political autonomy of the country none the less continued to gain strength. Under Charles V., the treaties of Madrid and Cambrai rendered perpetual the concession granted by Charles VII. to Philip the Good; the dependence on France was forever abolished in Artois and in Flanders; the Scheldt finally ceased to mark on the map a political frontier. It might seem, at first sight, that this advantage wrung by the Emperor from his adversary would be of profit to the Empire. This was not the case. Charles V. acted in the Netherlands as the successor of the dukes of Burgundy, and his power only served to make definitive their separation from Germany. The convention of Augsburg (1548) established them, under the name of Circle of Burgundy, as an independent state. If, in appearance, it recognized them still as an integral part of the Empire, in reality it detached them from it, for it accorded them, in all its essential features, the attributes of sovereignty. Thus ended, under the great-grandson of Charles the Bold, the long historic process whose principal phases we have endeavored to sketch. The double movement begun in the tenth century had come to an end; the provinces of the Netherlands were united, and between France and Germany a new political organism, the Burgundian state, had come forth into the light of day. The cord that bound together the seventeen provinces was securely tied; it broke at the end of the sixteenth century only, beneath the double pressure of the revolution against Spain and the religious revolution.

An agglomeration of principalities long independent of one another, the Burgundian state in the first place rested on the principle of personal union. Heir or conqueror of the different territories grouped under his authority, the duke did not reign over them by virtue of a power of superior sovereignty. Instead of bearing a

<sup>7</sup> At the Congress of Berlin a discussion arose as to how far the remembrance of the kingdom of Lothaire contributed toward the formation of the Burgundian state. It is incontestable, to my mind, that although this should not be given an exaggerated importance, the former existence of a kingdom between France and Germany aided to a certain extent the projects of the dukes of Burgundy. See O. Cartellieri, "Eine Burgundische Gesandtschaft", in *Mittheilungen des Instituts für österreichische Geschichtsforschung*, 1907, pp. 459-460.

single title, like a king, he was clothed with a multitude of special titles. He was at the same time duke of Brabant, count of Flanders, count of Hainaut, count of Holland, etc., etc. In passing beneath his sceptre each province had preserved its autonomy, its own constitution, its special institutions. Nothing is more heterogeneous, nothing more motley, at first sight, than this state made up of an amalgamation of small states, in each one of which the common prince ruled only as the successor of the former local prince. But this is only one aspect of the matter. From the personal union came necessarily a certain unity of government. The ideal of the dukes, like that of all the princes of the fifteenth century, was an ideal of monarchical centralization. They sought in a double manner to augment their influence at the expense of the local government and of the privileges which their various lands had obtained from their princes: first, by strengthening in each of them their own authority, and, second, by establishing, with a view to the general administration, and above the greater number of local governments, a certain number of central institutions. As it appeared at the time of Philip the Good, and as it remained under Charles V., at the time of its fullest development, the Burgundian state may be defined as a plurality of autonomous territories forming a monarchical unity. A certain equilibrium was established by the force of things between the local liberties and the princely power. Had it been free to develop itself at will, the latter would have arrived at absolutism, but it had to take into account, from the very first, an opposition that it was unable to overcome. In each province it was obliged to respect the old constitution that it found in force, and its role was limited to making a place for the political centralization of the modern state, while treating medieval particularism with respect.

This political centralization was, moreover, favored by the social and economic changes which characterized the fifteenth century. It would be quite unjust to consider it as exclusively the work of the dynasty and inspired by its interests alone. In point of fact the princely interest was in many respects intimately allied with the general interest. The nascent capitalism and the economic individualism which was developing along with it, suffered from the privileges bequeathed by the Middle Ages to modern times, which hindered their free development. The municipal exclusiveness which opposed the power of the princes opposed also the development of commerce and the prosperity of the new ports. The state

of subjection which the "good towns" imposed upon the open country hindered the introduction there of that capitalistic industry which was excluded from the urban communes by the rigid and superannuated rules of the trades.<sup>8</sup> It is also plain that not only the country districts, but above all those new centres of economic activity such as Antwerp and the Holland cities, which were adapting themselves to the necessities imposed by the transformation of commerce and of navigation, were on the side of the princes and favored their policy. The monarchical innovations of the Burgundian period were opposed only by the privileged cities, resolved, like Bruges and Ghent, to preserve the monopolies and prerogatives that had had their day. Nothing is more characteristic on this point than the contrast between their attitude toward the prince and that of Antwerp. In the one case, economic exclusiveness went hand in hand with resistance to the progress of political centralization; in the other, the liberal and innovating spirit which inspired the townspeople of Antwerp made it the faithful ally of the ducal government. In short, the more a city had been privileged in the Middle Ages, the more it resisted the new régime, and therefore there is nothing astonishing in the fact that it is especially in Flanders, where the cities, during earlier centuries, had surpassed those of all other territories in freedom and influence, that the Burgundian policy found its most resolute adversaries. But the resistance of Flanders was inspired by the past and not by the present. Its great communes wore themselves out in heroic efforts to maintain a supremacy which was escaping them, and the loss of which they attributed to the government. They did not see—and it was not in their power to see—that along with the establishment of the Burgundian state and independent of it, there was going on in the Netherlands a displacement of the economic equilibrium, and that the commercial leadership was on the point of passing over to Antwerp.

The "innovations" introduced by the house of Burgundy into the provincial administration responded so well to the needs of the times, that before its arrival in the Netherlands their dawn is apparent. Already Count Louis de Male had established in Flanders, about 1369, a supreme tribunal, the *Audience*, which must be considered as the precursor of the *Council Chamber* instituted at Lille in 1386 by Philip the Bold. This council chamber, which was soon

<sup>8</sup> H. Pirenne, "Une Crise Industrielle au XVI<sup>e</sup> Siècle", in *Bulletin de l'Académie Royale de Belgique, classe des lettres*, 1905, p. 489 f.

subdivided into a court of justice (the *Council of Flanders*) and a chamber of accounts, was the first modern administrative institution which the Netherlands had known. Similar institutions (the councils of Brabant, Holland, Guelders, Hainaut, Luxemburg; the chambers of accounts of Brussels and the Hague) were introduced into the other provinces as they passed under Burgundian sway. Everywhere they had as results the substitution of educated magistrates for the communal aldermen (*échevins*), the restriction of superannuated privileges to the advantage of the "common good", the disappearance from the law of a multitude of archaic usages, the habituation of lawyers to the practice of appeal, the organization of the pursuit of criminals, etc. The chambers of accounts brought the administration of the finances to a regular accountability, exercised a permanent control over the receipts and expenses of all officials, and allowed alterations in the distribution of the taxes, rendering them more equitable. It is incontestable that the Burgundian administration merited the reputation for excellence that it enjoyed, and of this there is no need of other proof than the fact that it served as a model to Maximilian for the reforms he introduced into Austria.

As was natural, it is from France, where monarchical government was from the thirteenth century on so thoroughly developed, that the dukes borrowed a large part of their administrative system. But they were far from simply copying the institutions of that kingdom. On the contrary, they altered them considerably to adapt them to the special conditions of their country. During the early period, and this was one of the principal complaints uttered against them, they called in a goodly number of foreigners, Burgundians or Picards, to initiate into their new tasks the officials of the Netherlands. These assistants became less and less necessary in proportion as the new régime became established, and they had almost completely disappeared in the second half of the fifteenth century.

We have said above that the establishment of monarchical institutions did not go on without arousing protest and, at least in Flanders, even violent conflicts. In all the provinces, the cities had acquired a dominant influence, and the policy of centralization found itself consequently more or less openly at odds with the urban policy. But, favored by the economic manifestations which were undermining the latter, it triumphed everywhere without great exertions. The cities, though they retained a large measure of

autonomy, were obliged to recognize the superior authority of the state, submit to its control, and contribute to the public expenses. If the rank and file of the townspeople long remained faithful to the old principle of municipal exclusiveness upon which rested the convenient industrial monopoly of the trades, the great merchants and the capitalists, on the contrary, rallied very soon to a system of government in which the "common good" took the place of privilege and in which municipal freedom was restrained only for the securing of a larger freedom. Moreover the bureaucracy now furnished a crowd of young patricians with a new and lucrative career and, in the Burgundian state as in all modern states, contributed powerfully to rally the well-to-do classes to the monarchical régime which was the condition of its maintenance.

Much less powerful than the cities, the clergy and the nobility showed also less opposition to the "Burgundian innovations". The excellent relations which the dukes maintained with the papacy, moreover, prevented the former from struggling against them with any chance of success. It resigned itself to the restriction of its jurisdiction and to the intervention of the prince in the grant of ecclesiastical dignities, and rapidly accustomed itself to a situation where devotion to the dynasty was the best path to success. As for the nobility, although it too had lost a considerable number of privileges and prerogatives, it was compensated by lucrative and honorary offices which were thrown open to it at the court, in the administration and in the army, and the entire body was soon gathered about the prince.

Although so far-reaching, the reforms accomplished in the provinces left untouched in all of them the ancient traditional constitutions. Everywhere the privileges accorded to their lands by the former princes remained; everywhere the Estates retained the right of voting the taxes and nowhere was there any modification in the organization of these assemblies, which were the essential organs of territorial autonomy. The monarchical organization took possession of all the vast administrative and judicial domain left vacant by the rudimentary organization of the Middle Ages; it put an end to abuses, it modified and perfected existing institutions, but it did not destroy them.

Besides the monarchical reforms accomplished in each province, the Burgundian period also saw the rise of a system of central institutions extending their action throughout the Netherlands, and thereby transforming them into that collective state which we have

endeavored to characterize above. It is an entirely new political phenomenon. For where, before the end of the fourteenth century, different lands had already been united under the rule of a single prince, it is not observable that this dynastic union brought about the slightest community of government. The princes, it is true, even when they reigned over several countries, had but a single council; but this council, made up of trusted advisers and limited to a purely consultative part, did not, properly speaking, constitute a governmental institution, and it seems scarcely ever to have intervened except in questions of foreign policy. Naturally the dukes of Burgundy possessed a council of this sort when they came to the Netherlands. This council, made up of nobles, clerks and lawyers from their different domains, and even of foreigners, was attached to the prince's person and moved about with him, having no fixed residence. But from the reign of Philip the Good a decisive change took place. Out of the original council developed two councils with special attributes: one, the privy council, retained the consideration of political affairs; the other, the Great Council, formed a high court of justice with jurisdiction over the entire Burgundian state. The latter, under Charles the Bold, was definitely settled at Mechlin under the name of *Parlement*; a name which it lost under Philip the Fair, to reassume and retain until the end of the eighteenth century that of Great Council. As for the political council, a new specialization of its functions divided it, under Charles V., into three separate councils residing at Brussels: the council of state (political affairs), the privy council (controversial and administrative affairs), and the council of finance. These were called collateral councils because they acted in conjunction with the prince, or his representative, the lieutenant-governor.<sup>9</sup> Henceforth, above the local governments of the provinces, there existed a general government which, acting in the same manner upon each of them, united them in a common action, and made them participate, in some fashion, in the same political life. And as we have shown above for the provinces, the central government at the end of the fifteenth century took on a national character, and excluded the foreigners that were numerous at the outset. Brussels, which was its seat, and in which after 1531 the sovereign's representative resided, became the capital of the Netherlands.

<sup>9</sup> It is sufficient for our purpose to characterize here in its general outlines the central organization of the state. It is useless to enter into details and to speak of the other agents of the prince, such as the chancellor of Burgundy or the lieutenant-governor.

But, and this is one of the most interesting of its peculiarities, the central government included not merely institutions charged with developing and applying the authority of the prince. The creation of the States General by Philip the Good in 1463 gave the representatives of the country a part in it. This great assembly, made up of delegates from all the provincial Estates, not only gave the prince an opportunity to deliberate with his subjects as a whole; but it also provided the most potent of the means of unification which had brought together the seventeen Burgundian provinces. Finally, just as the monarchical institutions did not suppress the territorial institutions which were anterior to them, so the States General did not absorb the individual Estates. On the contrary, it was with the latter that the final decision rested. Without their assent, the deputies of the States General could conclude nothing. Thus particularism remained as powerful beside the central organ of national representation as beside the institutions of monarchical power, and from whatever side it is examined, the Burgundian state always presented the same spectacle of modern unification above and medieval diversity below.

But while diversity did not increase, unification realized constant progress in the course of the fifteenth and sixteenth centuries. The creation of the Order of the Golden Fleece in 1430 attached to the person of the prince all the great nobility of the Netherlands, and thus put at his disposition, in the different territories, the enormous ascendancy which it enjoyed. On the other hand, the formation of a standing army (*bandes d'ordonnance*) under Charles the Bold enabled the dukes to take into their pay almost all of the lesser nobility, who, in fighting under their standard, were soon imbued with a lively sentiment of Burgundian loyalty. In conclusion, political measures, such as the Convention of Augsburg (1548) and the Pragmatic Sanction (1549), the former by placing all the provinces in the same position with regard to the Empire, the latter by unifying the right of succession in such a manner as to secure in each province the perpetual maintenance of the dynasty, constituted new reasons for cohesion among all parts of the Netherlands.

But while the state was thus strengthening itself within, its position with regard to the dynasty suddenly changed. Philip the Fair, who, after the troubled regency of Maximilian of Austria, had been hailed with enthusiasm as the successor of the earlier dukes and the restorer of the house of Burgundy, became in 1504, at the death of his mother-in-law Isabella of Spain, the heir of the kingdom of

Castile. It became straightway evident that in the near future the sovereign of the Netherlands was to have other interests than theirs to guard, and that it was to be expected that he would subordinate the peace and possibly the prosperity of the Belgian provinces to the world-politics into which he would be drawn. The premature death of Philip (1506) postponed the realization of these fears. But the young Charles V. succeeded to his father's rights, and therefore, to prepare as far as possible for what the future held in store, the endeavor was made, in spite of his grandfather Maximilian and his aunt Margaret of Austria, so to direct his education as to make of him a purely Burgundian prince. But the inevitable had to come to pass. Of how little weight were the Netherlands in the political combinations of a prince who reigned at the same time in the Empire and in Spain, and whose ambition had all Europe for its field! Although he accomplished, as we have seen, the territorial unification and the system of government of the seventeen provinces, in return he laid upon them expenses and wars entirely foreign to their interests. At the end of his reign Artois, Hainaut, Namur, Luxemburg, had been laid waste by French armies, and the unimpeachable credit of the Antwerp market, weakened by loans, was tottering. Nevertheless, the services rendered the country by Charles, the renown which dazzled the nobility fighting for him, the sympathy, at least apparent, that he showed his Burgundian subjects, together with the prudent conduct of the two regents, his aunt Margaret and later his sister Mary, to whom he had entrusted the government, neutralized until the end of his reign the sentiments of opposition which were gathering in the public mind. These sentiments broke out suddenly at the accession of Philip II., as soon as it was recognized that this prince was a thorough foreigner, antipathetic to the character of the country and hostile to its liberties, and that he clearly aimed at making the provinces Spanish. Ten years had not elapsed after the final departure of the king (1559) before the Netherlands were in open revolt. And this result, far from recalling the particularist uprising of 1477, proves the strength that the cohesion of the provinces had gained since that time. Directed by the principal lords of the council of state, unanimously sustained by the lesser nobility belonging to the bands of ordonnance and by the popular masses of each territory, it appears as a collective effort *viribus unitis*; as an insurrection of the Burgundian state, desiring to maintain its independence against the Spanish state. Indeed, it is more than this. During its progress, the Burgundian

state became the nation, and it was in this period of heroic struggles that its people for the first time gave it the name "*communis patria*".

Unfortunately the unanimity of the resistance was not to last. With the complication of the political by the religious question, the national party divided itself into Protestants and Catholics. William of Orange did not succeed in preventing a scission that had become more and more inevitable. It finally came about during the last years of the sixteenth century. Of the two fragments of the Burgundian state, one, the republic of the United Provinces, was in the following century to attain to that unheard-of degree of prosperity which remains in the history of Europe an unparalleled phenomenon; the other, the Catholic Netherlands, drawn into the decadence of Spain, was to vegetate in obscurity under its foreign governments and serve as a battle-ground for the armies of Europe. Its sovereigns left it its old Burgundian institutions and respected its internal autonomy. But, deprived thenceforth of the direction of its destinies, tossed about at the mercy of all the political fluctuations in the midst of which Spain went under, it lost its own self-consciousness, and long lay benumbed in provincialism and routine, after having, at the beginning of the seventeenth century, given forth one final gleam.

H. PIRENNE.

## ENGLISH CONSPIRACY AND DISSENT, 1660-1674, I.

THE death of Oliver Cromwell on September 3, 1658, assured the ultimate downfall of the so-called Puritan cause, but the catastrophe was not as sudden as many men had hoped and prophesied. It was not until seventeen months of rivalry between Rump Parliament politicians and Cromwellian army generals had brought administration to the verge of dissolution that order began to emerge from chaos with the accession of General Monck to a seat in the Council of State, and a determining voice in affairs. It was his first care on entering the Council to drive from it, from the army and from the Commons the leaders of the extreme party, and the disintegration of that party, long since begun in personal and political rivalries, was now rapidly completed. As soon as matters so shaped themselves as to render proscription moderately safe, such of its leaders as could be secured were arrested. The return of the King completed the destruction of the extremists. The army and navy, where they were strong, were reduced. The old officers and officials were rapidly replaced by royalists. Of the remaining revolutionary leaders, excluded from indemnity, some fled into exile, some were arrested to die on the scaffold or in prison, the rest were put under bond and surveillance. By the middle of 1661, of that long list of men who had lent strength to the Cromwellian rule few or none remained alive in England who had not given security to the King or entered his service. No single event of the Restoration was of more importance than this. It was not merely revenge for the past, it was a guarantee for the future. The brain of the extreme party was thus destroyed, the centres of national disaffection removed, and the opposition to the new régime was deprived of those men who alone were able to make it dangerous.

But what of the other thousands, the disbanded soldiers and sailors, the sectaries who saw their dearest liberties threatened by Anglican and Royalist reaction, the lesser officers and officials, the purchasers of lands now reclaimed by church and state? The answer has many times been given. It is essentially that of Pepys's Puritan friend, Blackburne, that wherever was to be found a carter more steady, a blacksmith more industrious, a workman more sober, he was a soldier of the old army. The mind pictures a citizen

soldiery, like that which fought the American Civil War, returning again to peaceful pursuits, seeking no further triumphs in war or politics. This view of the defeated party has done much to strengthen the conception of the Restoration as an interlude rather than a connecting link between revolutions, an interlude in which the court played the main part and the Puritans remained to furnish material for loyal satire. But it requires no very profound study of the history of the Restoration to see that this fails to explain many of its phenomena. It is the purpose of this paper to consider another element of this fallen party—those who did not quietly submit to their fate—during the period of their greatest and most influential activity, the first dozen years of the reign of Charles II.

They had not been wholly idle during the later months of 1660 when the troops were being re-officered, disarmed and disbanded under the stern personal supervision of the Lord General, and that process had not taken place without scattered and ineffective attempts at resistance. When the Convention Parliament which had recalled the King was dissolved in January, 1661, without securing legal guarantees for toleration, its dispersion was signalized by the outbreak of a handful of old Fifth Monarchy soldiers under a London cooper, Venner, which terrorized the metropolis for three days. Slight as the danger was, it produced important results. It enabled the Anglicans as a party of law and order, to secure a larger majority in the Commons during the ensuing elections, than they might otherwise have had. It enabled the crown to fortify itself by the retention of a larger force of troops, by the refurbishing of the old legal weapons against sectaries and disturbance, and by creating a secret service which played no small part in the ensuing events. Above all it roused in the dominant Anglican party a passion of hate and fear, dangerous in itself, doubly dangerous when played on by designing men for their own ends. This spirit was clearly visible in the newly elected House of Commons which met in May, 1661, and in the Savoy conference of Anglican and dissenting clergy called about the same time to discuss the religious situation. By the middle of July each had adjourned, and the cause of reaction was seen to be supreme, in the conference where comprehension of the Presbyterians was rejected by the Anglican ecclesiastical authorities no less than toleration of the sects, and in Parliament where the dominant party committed itself strongly to church and crown.<sup>1</sup>

Meanwhile the government spies had been active. Meetings

<sup>1</sup> *Parl. Hist.*, IV. 182-222.

of the sectaries were broken up, preachers and petty leaders seized, and hundreds of worshippers, especially Quakers and Anabaptists, thrown into prison.<sup>2</sup> In particular every effort was made to stamp out the literature by which the proscribed party sought to rouse its people. The *Mirabilis Annus*, the *Phoenix of the Solemn League and Covenant*,<sup>3</sup> the *Book of Prodigies* and that of the *Wise Virgins*,<sup>4</sup> with scores of others, filled with the language of prophecy, shadowed forth the fall of the monarchy and the recall of the godly to power. Printed in secret, smuggled from hand to hand, carried by itinerant booksellers, peddlers and carters, sold from house to house, or secretly at fairs, these found their way everywhere.<sup>5</sup> A licenser of the press was appointed to repress the evil.<sup>6</sup> Booksellers and printers, their wives, their apprentices and helpers were arrested, houses searched, carriers' carts overhauled, tracts and books and unbound sheets seized and burned by the thousand.<sup>7</sup> Sir Roger L'Estrange, the licenser, lately declared that in three years he had destroyed editions of six hundred such tracts. The printers in many cases made a strong defence. Some of them found powerful patrons, among whom were noted such men as William Howard of Escrick, and even the Presbyterian councillor, the Earl of Anglesey.<sup>8</sup> But as time went on this evil was checked, though it was never quite destroyed.

In all this London was the forefront of offence, and in other matters as well the City caused no little uneasiness. In the elections to Parliament it had returned four strong dissenters, and letters then intercepted by the government revealed its hostility to unlimited monarchy and episcopacy.<sup>9</sup> The spies sent through its streets and environs now found their way into public houses to count the men and horses there, into churches and conventicles to note those present and the language used, into the jails to worm secrets from prisoners or enlist them as informers.<sup>10</sup> They reported that men looked forward to "another bout," when Anabaptist joined Presbyterian, that dangerous men were coming to the city in large numbers, that even certain royal advisers were implicated in agita-

<sup>2</sup> Among them John Bunyan. *Cal. St. P. Dom.*, 1661-1662, pp. 23, 54, 87.

<sup>3</sup> *Ibid.*, pp. 54, 235, 426.

<sup>4</sup> *Ibid.*, pp. 23, 104, 106, 109, 128, 173, 184.

<sup>5</sup> Cf. especially Giles and Elizabeth Calvert "arrested for the usual practices", *passim* as above.

<sup>6</sup> *Cal. St. P. Dom.*, 1670, pp. 369, 502; *id.*, 1661-1662, p. 282.

<sup>7</sup> *Cal. St. P. Dom.*, 1661-1662, pp. 104 ff.; *id.*, 1663, pp. 193, 434 ff.

<sup>8</sup> *Id.*, 1661, pp. 109, 287, 327.

<sup>9</sup> *Id.*, 1661-1662, p. 396 *passim* to 418; *id.*, 1660-1661, pp. 535-542.

<sup>10</sup> *Id.*, 1661-1662, pp. 81-208 *passim*.

tion, and that prayers were offered up for "a leader to come and redeem Zion", in such churches as All Hallows the Great and St. Sepulchre's.<sup>11</sup> City authorities were accordingly urged by the court to suppress sedition, to reform the militia and the night watch, and to ensure the return of churchmen and royalists to city offices in the ensuing elections, and these admonitions were accompanied by arrests and the dispersal of meetings on every hand.<sup>12</sup>

The investigation soon developed the fact that the Post Office, which almost alone among the public offices had escaped reorganization, was a centre of sedition.<sup>13</sup> The former headquarters of the republicans had been the Commonwealth Club in Bow Street. This under the same management but under a new name, the Nonsuch House, was the chief resort of the postmaster, Colonel Bishop, and many of the clerks, who maintained the republican traditions of the place.<sup>14</sup> Reinforced by similar information against many postmasters throughout England,<sup>15</sup> this news roused the administration to action. After violent opposition Colonel Bishop was finally replaced by a follower of the Duke of York, one Daniel O'Neale, many clerks and postmasters were dismissed and the service reorganized.<sup>16</sup> This was the more important in that through the Post Office passed all manner of political information, of peaceful and warlike opposition to the administration. The inspired cordwainer in Reading who was defended against the county authorities, and even against a King's messenger by the corporation;<sup>17</sup> the new mayor of Coventry, a dissenting butcher, formerly Lambert's recruiting agent;<sup>18</sup> and the prospective mayor of Preston, a "decimator and sequestrator", whom the loyalists urged the government to arrest or "otherwise handsomely frighten",<sup>19</sup> personified the more peaceful endeavors of the rejected party to entrench themselves in the boroughs. Of more violent designs the administration in this summer of 1661 found little definite trace. Reports of secret meetings, night ridings, fanaticism attendant on the news of the regicide

<sup>11</sup> *Ibid.*, pp. 73, 81, 110-123 *passim*.

<sup>12</sup> *Ibid.*, pp. 73-123 *passim*, 70, 161, 179.

<sup>13</sup> *Ibid.*, as above, and pp. 86, 176, etc.

<sup>14</sup> *Ibid.*, pp. 55-57, 86 ff.

<sup>15</sup> *Ibid.*, pp. 173, 176, 250, 385.

<sup>16</sup> *Id.*, 1663-1664, pp. 156-157; *ibid.*, pp. 80, 92, 480; cf. also Jusserand, *A French Ambassador at the Court of Charles II.*, p. 193.

<sup>17</sup> *Cal. St. P. Dom.*, 1661-1662, pp. 116-123, *passim*.

<sup>18</sup> *Ibid.*, pp. 90 ff.

<sup>19</sup> *Ibid.*, p. 93.

executions, rumors of risings, were the most that could be unearthed.<sup>20</sup>

But a week before Parliament met there came into Secretary Nicholas's hands information of the utmost importance. It was to the effect that on November 10 or 11 a certain Richard Churme, of Wichensford, Worcestershire, had come upon a stranger lying by the roadside sorting letters. When he had gone Churme found a package which had been accidentally dropped, and secured it before the stranger discovered his loss and returned to look for it. The package was sent to Sir John Packington, J.P. and M.P. for Worcestershire, and, after copies had been made and sent to neighboring magistrates, it was forwarded to London with several examinations taken in regard to it. The two letters enclosed purported to have been written by one "Ann Ba" to a Mr. Sparry, parson of Martley, and to a Captain Yarrington of the old army. They spoke of the need of money, of "the company" having increased to 300, of an oath taken November 1, of news sent to Hereford, Gloucester, Worcester and Shrewsbury, of "a fatal blow against their adversaries," of "hopes for merry days", and "that the business would soon be done".<sup>21</sup> Two persons deposed further that Captain Yarrington had said he "had a commission to cure people of the simples", that "there would be news ere long", and that Colonel Turton's man had said "they" were to rendezvous at Edgell the night of November 9. All this was confirmed and enlarged from apparently independent sources,<sup>22</sup> and many circumstances combined to heighten the probability of the information. The West country and Midland loyalists were greatly excited. Alarms were sent in every direction. Neighboring towns, especially those named in the letters, were put in a state of defence.<sup>23</sup> The militia was called out, and many suspicious characters seized. Sparry and Yarrington were secured, examined before the Worcester justices, and sent to London. There before the Secretary and the Council they "denied all", and no further results appeared.<sup>24</sup>

<sup>20</sup> Staffordshire, Shropshire, Chester, Carlisle, Wilts, Windsor, Lowestoft, Durham, Dublin, Kent, London, etc. *Cal. St. P. Dom.*, 1661, pp. 79-134 *passim*; *id.*, 1661-1662, pp. 62-212 *passim*.

<sup>21</sup> *Cal. St. P. Dom.*, 1661-1662, pp. 143-148.

<sup>22</sup> *Ibid.*, p. 199.

<sup>23</sup> *Ibid.*, p. 153.

<sup>24</sup> Cf. Calamy, *Nonconformist Memorials*, ed. Palmer, I. 30, 31. Yarrington escaped, went to London, was recaptured, put in the Marshalsea and kept for some time as a prisoner or spy. In 1681 he published an account of this alleged plot, apparently in connection with the Exclusion agitation. Ralph, I. 53, quotes an extract. For Yarrington's examination cf. *Cal. St. P. Dom.*, June 23, 1662, p. 417. For Sparry cf. Calamy *ut supra*.

Such was the story which made its way through England on the eve of the new session and met the members as they came up to London. It was not, on its face, wholly probable. Careful investigation would have enabled the administration to establish its value without much question. But there was neither time, nor opportunity, nor, one may suspect, inclination, to look too closely into information which was so extremely useful to the dominant party. They took full advantage of it. The royal speech was largely devoted to the "Presbyterian plot". The Commons embodied the information given them by Packington and others in a message to the Lords, requesting the Upper House to join them in asking for a proclamation to expel "loose and suspicious persons" from London and Westminster.<sup>25</sup> The proclamation was issued<sup>26</sup> and, that none of the accompaniments of popular alarm might be wanting, one of the Vennerites, John James, was convicted of persisting in seditious practices and executed a week after the session began.<sup>27</sup> It was no wonder that under the stimulus of such excitement the Anglicans were able to force through the Corporation Act introduced the preceding June. By its provisions the commissioners were empowered to root out from those "nests of sedition", the borough corporations, not merely those refusing the oaths of allegiance and supremacy and that renouncing the Solemn League and Covenant, but all who were hostile to the government even though they took the oaths and repudiated the Covenant. Against this measure the Presbyterians fought desperately, and, in spite of the alleged plot, they might have had some success. But on December 19 the King sent a message to the Houses concerning a new plot, asking advice and co-operation in suppressing the danger. The appeal was effective. The Corporation Act was passed and a committee appointed to sit during the approaching recess to investigate the new conspiracy. Thus for the third time the fear of the sectaries played a decisive part in Restoration politics.<sup>28</sup>

The committee thus appointed was furnished with information by the Chancellor to the effect that a design to subvert the government had been on foot since before the return of the King. The Long Parliament men, the Commonwealth party, the City, the disbanded soldiers, the purchasers of lands, the Independents and the Fifth Monarchy men were implicated and each group, save the

<sup>25</sup> *Parl. Hist.*, IV. 222-224.

<sup>26</sup> *Secret Hist.*, I. 426; *Cal. St. P. Dom.*, 1661-1662, p. 179.

<sup>27</sup> Howell, *State Trials*, vol. VI., pp. 114 ff.; *Cal. St. P. Dom.*, 1661-1662, p. 617.

<sup>28</sup> *Parl. Hist.*, IV. 224 ff.; *Statutes*, 13 Car. II., stat. 2, c. 1.

first, furnished three members to a committee which sat generally in the old republican headquarters in Bow Street and thence directed the affair. Their first care had been the choice of Parliament men, especially from London, as a precedent for the country at large, the second a petition for a preaching ministry and liberty of conscience. Their other plans were inferred from the fact that there was an inner committee of seven, bound by oaths of secrecy, chosen, it was said, to direct the design, to raise men and collect money.<sup>29</sup> Five of the seven, including Sir James Harrington and Major Wildman,<sup>30</sup> reputed chiefs of the republicans, had already been arrested. The former was charged with having presided over the committee of twenty-one in the preceding March. He was examined by Sir George Carteret, Sir Edward Walker, and his kinsman the Earl of Lauderdale, with small result. He denied all knowledge of the alleged meetings in Bow Street. Though he admitted his acquaintance with Wildman, Barebones, Neville and Portman, he declared he had seen none of them for a long time save Neville, and with him he had dined publicly in the safest company in England, those devout royalists, Gascoigne and Legge.<sup>31</sup> In other quarters the commissioners were more successful, and on January 10 Mr. Waller reported the result to the Commons. There was to have been a meeting in London on December 10 or 11, and Shrewsbury, Coventry and Bristol were to have been seized in January or February. The stories of Salmon and Wildman did not agree and the former had a list of 160 old officers. The plan was to overthrow the government or at least to give notice abroad that England was divided against itself. The regicides on the Continent were in the plot, which was fomented by certain foreign princes. Arms were bought and the plotters needed but a footing to succeed. They were to have begun with assassination, which moved one of the committee to discover the design. Upon this the leaders had been seized and troops of horse sent to Bristol and Coventry.<sup>32</sup>

The immediate danger as revealed in this report does not, at this distance, seem to have been great, but its effect on the Commons was very considerable. Vane and Lambert were hurried to trial, the militia and the revenue bills were expedited, and the treasons

<sup>29</sup> *Journals H. C.*, XI. 359 b. ff.; *Parl. Hist.*, IV. 227; *Hist. MSS. Comm. Reports*, XII. 9. p. 51.

<sup>30</sup> *Cal. St. P. Dom.*, 1661-1662, pp. 253, 347. Bremen, Parker, Gladman and Berry arrested May 18, 1662, *ibid.*, p. 376. Barrow, *ibid.*, p. 354.

<sup>31</sup> Howell, *State Trials*, VI. 114 ff.; Lister, *Life of Clarendon*, II. 279-281.

<sup>32</sup> *Parl. Hist.*, IV. 226 ff.; Howell, *State Trials*, VI. 114 ff.; *Journals H. C.*, XI. 359 b., 476; *Secret Hist.*, I. 426-427 n.; Rapin says 140 officers.

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committee revived. The Militia Bill and the Hearth Money Act were pushed through, together with acts against Quakers and seditious publications. Finally, on May 9, was passed the great Act of Uniformity compelling all preachers and teachers to use the Anglican ritual and prayer book after the 24th of the following August. The court and administration had reiterated the dangers which threatened the nation throughout the session, and emphasized them again in the closing speeches which were largely devoted to the "humors and spirits of men too boisterous for soft remedies", "refractory spirits of strong, malicious corrupted understanding".<sup>33</sup> Meanwhile government activities outside the Houses had been no less reactionary. In the preceding September the "Cromwellian bodies", including those of Blake and Pym, had been removed from the Abbey and thrown into a pit in the adjoining churchyard.<sup>34</sup> In April Colonels Barkstead, Okey and Corbet, who had been treacherously seized in Holland by Sir George Downing, were executed,<sup>35</sup> and on June 14 Vane suffered the same fate.<sup>36</sup> The bishops had meanwhile taken their places in the Lords, a Catholic queen had come to England, and negotiations had begun for the sale of Dunkirk, last of the Cromwellian conquests, to France.<sup>37</sup>

In the face of these events it is no wonder the discontented party was roused to fury. They denied the charges of plotting and accused the royalists of having manufactured plot and evidence alike to further their political aims.<sup>38</sup> Meetings multiplied and the proscribed pamphlets again appeared,<sup>39</sup> with the usual rumors of insurrection. Talk of "gallant times", the purchase of horses and even the issue of commissions and enlisting of men were reported.<sup>40</sup> The conspirators, it was said, had settled on the King and the Rump as their rallying cry, and planned to rouse the people with tracts, wait for a rising in Scotland and seize the Tower and Whitehall when the troops went north.<sup>41</sup> The old Parliamentarians in Ireland, the Fifth Monarchy men in England, were declared ripe for revolt but were held back by the leaders in London, who waited "till the vulgar were pricked by the late acts". The alliance of Independents

<sup>33</sup> *Parl. Hist.*, IV. 230-254.

<sup>34</sup> Kennet, *Register*.

<sup>35</sup> *Cal. St. P. Dom.*, 1662, p. 344; Pepys, *Diary*.

<sup>36</sup> Howell, *State Trials*, VI. 1 ff. (trials of regicides).

<sup>37</sup> Clarendon, *Life, Continuation*, 1662, *passim*.

<sup>38</sup> *Cal. St. P. Dom.*, 1661-1662, p. 316.

<sup>39</sup> *Ibid.*, pp. 398, 411.

<sup>40</sup> *Ibid.*, pp. 258, 263, 295, 385, 398.

<sup>41</sup> *Ibid.*, p. 404.

and Presbyterians was reported to be at hand and the Commonwealth men only waited Presbyterian aid to rise.<sup>42</sup> In all this there was no doubt much wild talk, but some circumstances substantiated these rumors. Independents, Anabaptists, Socinians and Fifth Monarchy men set apart a day to pray for Vane and Lambert, and there was reason to believe that, had the general been condemned, an effort would have been made by his old followers to rescue him.<sup>43</sup> Kent, Gainsborough, Uxbridge and Dunkirk furnished news of disaffection. A Presbyterian "lecture driver" in the west hanged himself on hearing of the Act of Uniformity. Three obstinate members of the Newbury corporation, first of many such, were sent up to the Council by the commissioners.<sup>44</sup> From every direction came news of opposition to the administration policy furnishing a fertile field for conspiracy.

On its part the Council warned Governor Rutherford of Dunkirk of the designs on that place, ordered the justices of Southwark to suppress sedition there, and the Southampton authorities to send up the names of those obstructing the town government and "wholesome contributions".<sup>45</sup> In London the Lord Mayor and General Browne were commanded to suppress seditious meetings and when the City chose two aldermen obnoxious to the court, they were replaced with safer men by the King, and orders issued that only well-affected men should be chosen for sheriffs.<sup>46</sup> Most important of all measures since the disbanding of the army, was the garrisoning or destruction of the strongholds throughout England in this summer of 1662, "removing that temptation to seditious spirits to seize them, evidenced in the late desperate design". Hull and Chepstow were repaired, Shrewsbury and Chester garrisoned, and orders given to "slight or destroy" other fortifications. Under the direction of Albemarle, the lord lieutenants and deputy lieutenants thus supervised the dismantling of Coventry, Northampton, Gloucester, and "that turbulent town of Taunton". The last two proved difficult, and in Taunton the delay and disaffection of the authorities evoked severe reprimand from the government and stringent orders to destroy the works and set the militia in order.<sup>47</sup> This last was a matter of much importance everywhere.

<sup>42</sup> *Cal. St. P. Dom.*, 1661-1662, pp. 398, 408, 412, 418, 448 and *passim*.

<sup>43</sup> *Ibid.*, pp. 397, 411.

<sup>44</sup> *Ibid.*, pp. 255, 287, 304, 307 and *passim* to 419. Pepys, v. d. June 1662.

<sup>45</sup> *Ibid.*, pp. 399, 400, 417.

<sup>46</sup> *Ibid.*, pp. 376, 408, 416, 543, 544, 548. The best account of the Dissenters' state of mind is to be found in a long letter, *Cal. St. P. Dom.*, 1663-1664, p. 63.

<sup>47</sup> *Cal. St. P. Dom.*, 1661-1662, pp. 422-511 *passim*.

The revising of the entire list of deputy lieutenants and the reorganization of the militia under the late act proceeded slowly, and from every direction, especially in those places where local forces were most needed, the West, the Northwest and the City, came complaints of inefficient, dilatory and even disaffected militiamen.<sup>48</sup>

This was more serious in that strong opposition developed against the government policy in many places. The corporation commissioners met difficulties in districts as widely separated as Bristol, Norwich and Lancaster.<sup>49</sup> In Chard they could not find enough honest men to carry on the government and the mayor asked that the town's charter be recalled.<sup>50</sup> The hearth money officials were in like straits, London being especially stubborn against them.<sup>51</sup> With this, as the summer wore on, the rumors of insurrection increased. In July instructions were issued to all lord lieutenants and deputy lieutenants to be on their guard against a republican rising,<sup>52</sup> and from every direction warnings came to the administration of prospective disturbance.<sup>53</sup> The government feared, not without reason, that some attempt might be made when the Act of Uniformity went into effect in August.<sup>54</sup> In addition to the garrisoning of Chester, therefore, Shrewsbury and Coventry, troops were quartered in Axminster and Taunton.<sup>55</sup> The day passed without disturbance, but the news which reached the government after the act took effect increased in volume and importance.<sup>56</sup> Intercepted letters indicated that recruiting was in an advanced stage, and the situation seemed so serious that not merely were many arrests made of old officers but in Exeter, Plymouth and Portsmouth militia gathered and Exeter Castle was occupied for the King.<sup>57</sup> Similar precautions were taken elsewhere, especially as evidence accumulated that a rising had been set for October 28.<sup>58</sup> On that day 80 or 100 horsemen actually appeared in St. Albans,<sup>59</sup> but no general movement resulted, and as the year drew to a close it seemed that, after all, the whole business was a figment of royalist imagination or a device

<sup>48</sup> *Cal. St. P. Dom.*, 1661-1662, as above, and pp. 509-551 *passim*.

<sup>49</sup> *Ibid.*, pp. 490, 517, 578.

<sup>50</sup> *Ibid.*, p. 539.

<sup>51</sup> *Ibid.*, p. 459.

<sup>52</sup> *Ibid.*, p. 442. Cf. also pp. 466, 538-539, 581, 604.

<sup>53</sup> *Ibid.*, pp. 428-603 *passim*.

<sup>54</sup> *Ibid.*, pp. 434-455 *passim*.

<sup>55</sup> *Ibid.*, pp. 441-455.

<sup>56</sup> *Ibid.*, pp. 481, 519, 541.

<sup>57</sup> *Ibid.*, as above, and pp. 538, 551.

<sup>58</sup> *Ibid.*, pp. 443-579 *passim*.

<sup>59</sup> *Ibid.*, p. 529; *Hist. MSS. Comm. Reports*, VII. 463.

of Anglican politicians, as the nonconformists maintained. Yet this was not wholly true. Sufficient evidence reached the government to make it fearful of an outbreak, and its precautions indicated its fears. If plots existed these measures had kept them from maturing. On the other hand if there were plotters they had eluded discovery. It was not from lack of energy that the government had failed to bring home to individuals the charge of conspiracy, nor for lack of information. From week to week, almost from day to day, prisoners and reports reached them. As one reads the mass of evidence that accumulated he wonders that the Council found time to do anything besides hunting down plots and plotters.<sup>60</sup> The result was the same, rumors of risings and designs, scores of prisoners, hundreds of letters and warnings and informations, but no evidence on which men could be hanged. In their anxiety they did not neglect, if we may believe their enemies, the fomenting of false conspiracy to fathom the real one or provide victims for execution. August 24 and 28, September 2 and 3, and October 28, however, passed without serious disturbance, and though men spoke and wrote of "the late horrid design" the administration had obtained from all its activities nothing on which to base prosecutions much less executions.<sup>61</sup>

But on November 2 the government arrested in London a certain Captain Foster of the old army, and his hostler, on charges which had come into its hands some time before. Through him, his friends and his servants, information was secured against a number of others who were likewise seized, among them Ensign Tong, Captain Lee and Colonel Kenrick of the old army and a certain Platter. Tong confessed that he had been a member of a council which sat at the Wheatsheaf in Thames Street, whose design was insurrection.<sup>62</sup> Through him, through one Stubbs, and especially from a minister named Riggs,<sup>63</sup> enough was learned to bring six men to trial at Old Bailey on December 11. From the information and testimony thus adduced it appeared that there was a plot to enter Whitehall, seize the King and the Duke of York, secure Windsor

<sup>60</sup> *Cal. St. P. Dom.*, as above, and many places besides; orders, warrants, etc., on almost every page in 1661-1662, 1662 and 1663. On October 14 the King actually ordered the archbishops to "tune the pulpits" after the Elizabethan manner. *Cal. St. P. Dom.*, 1661-1662, p. 517.

<sup>61</sup> As above, and Pepys, September 3, 1662; *Hist. MSS. Comm. Reports*, VII. 463, XII. 9, p. 52; Ludlow, *Memoirs*, ed. Firth, II. 344, etc.

<sup>62</sup> *Cal. St. P. Dom.*, 1661-1662, pp. 540-541.

<sup>63</sup> Or Ridge, who became master of a ship, and was killed in 1666. Bradford said that he would kill the King with his halberd if the others failed. Tong had bullets to shoot the King at review.

Castle, bring over some frigates whose crews were ready to revolt, and thus begin a revolution. A council of six was directing the plot through a council of forty.<sup>64</sup> The government did not assert that the men brought to trial were the real heads of the design. "Other wits than these poor contemptible agitators", these "outboughs of conspiracy", laid the plans, it was declared. None the less these were all found guilty. Four of them, Tong, Stubbs, Gibbs and Phillips were executed, two were reprieved and of these one, curiously enough, ultimately became royal hydrographer.<sup>65</sup>

But this was not the end of the matter. One John Bradley, messenger, spy, and trepanner, or fomenter of sedition for profit, and a fellow-informer, John Baker, a Cromwellian life-guardsmen turned tinker, appeared in the trial of Tong and his fellows as witnesses for the state.<sup>66</sup> They now came forward with further revelations. Baker, examined in the King's presence December 15, deposed that two former comrades of his, Smith and Kent or Kentish, now the King's guard, had intimated their willingness to admit men to Whitehall to kill the King. Seditious meetings, he declared, were held at the house of a Mr. Ward in Redcross Street, and a plan had been on foot to shoot the King at the review of Sir John Robinson's regiment some time before, for which Tong had provided bullets to the numerous fanatics in the ranks, who would have killed Charles had he happened to come before them as they were drawn up. Many were arrested in consequence of his revelations, among them Johnston, another halberdier who was especially named, Kent, Captain Cates, Captain Faircloth, John Jackson, John Whitehall and Mr. Ward. These, with one exception, denied all charges save that of having met at Ward's house, and denounced Baker as an unmitigated liar and scoundrel. Johnston however implicated a long list of men; three ministers, Owen, Kiffin and Cockain; a Mr. Caitness; Cornet Billing and Colonel Carr; a post-office employee, Roden; a Mr. Helme; a City merchant, Gavin Lawry; a Mr. Dundas; and finally his former master, namesake, and probably kinsman, Archibald Johnston, Lord Warriston, once a considerable figure in Cromwellian times, but now ill and a fugitive in France. Most of these men were seized, and Lawry was held in long and vexatious imprisonment.<sup>67</sup> Bradley was rewarded

<sup>64</sup> Macpherson, *Life of James II.*, 1663; Howell, *State Trials*, VI. 226 ff.; *Cal. St. P. Dom.*, 1661-1662, pp. 546, 588, 600, 602.

<sup>65</sup> Rapin, *History of England*, III. 864 and n.; *Secret Hist.*, I. 461-462.

<sup>66</sup> *Cal. St. P. Dom.*, 1661-1662, pp. 593-595, 610-614.

<sup>67</sup> *Ibid.*, pp. 591-595, 613 ff.; *id.*, 1663-1664, pp. 12, 27-37 *passim*.

for his share in the affair by being made King's messenger.<sup>68</sup> Johnston and the rest, save Warriston, seem to have escaped with their lives.<sup>69</sup> Warriston, by the aid of the French government, was seized, carried to England, thence to Scotland, where, despite his illness, his wife's intercession, his complete submission and his offers to aid the government, he was executed in the following June.<sup>70</sup> Later in the year Baker, who had apparently been kept in hope of further revelations, was hanged.<sup>71</sup> He was the last victim of the so-called "plot of 1662". This, it has been charged, was no plot at all. The whole matter had been arranged by Bradley and Baker, with, if not by, the government.<sup>72</sup> Without more definite proof such a charge is hard to maintain or destroy. But there are circumstances which give some color to the administration's contention. A mass of outside testimony indicated a revolutionary movement on foot. Certain letters involving Warriston and Lawry contained what was at least very suspicious language, and several of the men executed admitted on the scaffold the existence of a plot.<sup>73</sup>

At all events there was enough in the situation revealed by the government agents to demand, in the opinion of many at the head of affairs, something more than arrests and executions.<sup>74</sup> From Parliament it was evident that nothing besides repressive measures could be expected. But to some who took their cue from the King it seemed that some way might be found for accommodation with moderate Dissent, which, leaving the Anglican supremacy untouched, would allow the freedom of conscience promised from Breda to peaceable Nonconformity, and thus, by reconciling the mass of sectaries, remove any general support of conspiracy. Desiring as he did some relief for the Catholics, a less shrewd man than the King might well have thought to find in the Nonconformists a popular basis for Catholic relief under guise of general toleration. Moreover such testimony as the plots of 1662 had just brought out indicated that the vengeance of the sectaries was chiefly directed against him, and he had little desire to wear a martyr's crown, especially in a cause of which he did not approve. Might he not then declare his own policy, and try to muster strength in the Commons and the

<sup>68</sup> *Cal. St. P. Dom.*, 1663-1664, p. 68.

<sup>69</sup> *Ibid.*, p. 149.

<sup>70</sup> *Ibid.*, pp. 3, 25, 32, etc., to 179; *cf. infra*.

<sup>71</sup> *Ibid.*, p. 238. *Cf.* Ludlow, ed. Firth, to contrary.

<sup>72</sup> Ludlow, *ut supra*.

<sup>73</sup> *Cal. St. P. Dom.*, 1663, pp. 26 to 614 *passim*; Howell, *State Trials*, VI. 226 ff.

<sup>74</sup> Jusserand, *A French Ambassador*, p. 196.

country to prevent its recall? At least he might avert from himself to Parliament, where it belonged, the wrath of the sectaries. The Anglicans dared not depose him, the Dissenters might be won, the Catholics relieved, and the prerogative advanced. Accordingly four days after the execution of Tong and his fellows, on December 26, 1662, appeared a royal Declaration of Indulgence embodying this policy which was to play such a large part in affairs. "Designed to quiet the rising disorders" it proposed "to set bounds to the hopes of some and the fears of others". It denied the charges that the King desired to break the Act of Indemnity, or set up military rule under pretence of the plots, that he had broken the Declaration of Breda by signing the Act of Uniformity, or that he favored the Papists. It declared, on the contrary, that the King favored the Act of Uniformity, but that for the sake of some he desired to dispense with certain provisions, and he encouraged his subjects "with minds happily composed by his indulgence" to apply themselves to increase the general prosperity.<sup>75</sup>

This result at least it was never destined to achieve. Whatever effect it was supposed to have on those bent on overthrowing the King there was no doubt of its effect on those bent on upholding him. The Anglicans were disturbed and angry,<sup>76</sup> and many persons, even those Dissenters who seized the advantage thus offered, doubted the King's sincerity, attributing the whole affair to Catholic machination. Between the Acts and the Declaration the local authorities were at a stand, large numbers of Quakers and others were released, and conventicles multiplied. The church authorities bitterly resented the Declaration, and the Bishop of London took immediate steps to define his position. Ten days after the Declaration appeared he had the Presbyterian leader, Calamy, arrested for preaching contrary to law. And though Calamy was presently released on proof that his sermon contained no reflections on the government and had, in fact, been preached with the "privity" of certain Lords of the Council, the incident did not tend to calm the political elements.<sup>77</sup> The great question however remained, what would Parliament do when it met in February? The six weeks which intervened were filled with excitement. The *Phoenix* and the *Prodigies* again appeared and were again suppressed, together with the reports of the

<sup>75</sup> *Parl. Hist.*, IV. 259; *Secret Hist.*, I. 462 ff.; *Cal. St. P. Dom.*, 1662-1663, pp. 602-603.

<sup>76</sup> Pepys, February 25, 1663, to April 1, 1663, *passim*; *Cal. St. P. Dom.*, January to February, 1663, *passim*.

<sup>77</sup> Pepys, January 5, 16, 1663; *Cal. St. P. Dom.*, 1663-1664, pp. 8, 10; cf. also Calamy, *Nonconformist Memorials*.

late treason trial.<sup>78</sup> Information accumulated indicating that a real conspiracy was on foot.<sup>79</sup> From Carlisle and Reading, from Norfolk and Cornwall, from Southwark and Barnet came news and prisoners portending disturbance.<sup>80</sup> The arrests in January increased in number and importance, and the alarms with them. An intercepted letter indicating that some attempt might be made on the assembling of Parliament led to the dispatch of troops to Farnham and the securing of Guildford and Portsmouth against surprise.<sup>81</sup> The refugees on the Continent became the object of special solicitude. The most disquieting reports were received from the North, many arrests were made there, and many prominent men, including an alderman of York, were imprisoned.<sup>82</sup> Several of those most wanted, however, escaped and this was the more unfortunate in that it seemed from the examination of those taken that a widespread design existed in an advanced state of preparation. Evidence appeared, though it was at first minimized by the York authorities, that men were being enlisted, arms secured, and commissions and pay promised to volunteers.<sup>83</sup>

There is no doubt that the court was much disturbed over the increasing probability of a rising.<sup>84</sup> The Corporation, Uniformity and Hearth Money acts in England, the church question in Scotland and the land question in Ireland had roused deep and bitter discontent. The administration knew, if Parliament did not, how widespread and dangerous the disaffection was. But when the Houses came together on February 18 it was seen that they were much opposed to the Declaration, even as a cure for disturbances. In answer to the speech from the throne which defended the policy of indulgence the Commons voted overwhelmingly (200 to 30) to request the recall of the Declaration. One feature of the royal policy ruined whatever chance it might otherwise have had for endorsement by Parliament. This was the King's appeal in behalf of the Catholics, which united Anglican and Nonconformist against him. It was in vain that Lord Roberts pleaded for a measure granting the dispensing power, and the court strained its resources to save the prerogative. A bill to prevent the growth of popery,

<sup>78</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 27, 53, 180.

<sup>79</sup> *Ibid.*, almost every page.

<sup>80</sup> *Ibid.*, pp. 1-57 *passim*.

<sup>81</sup> *Ibid.*, pp. 44, 46.

<sup>82</sup> *Ibid.*, p. 16; Pepys, January 23, 1663.

<sup>83</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 26, 91-92.

<sup>84</sup> Pepys, May 25, October 10, 19, 27, November 4, 1662; cf. also Jusserand, *A French Ambassador*, s. d.

another forbidding the employment of all not loyal to the late King and the church, and a request for a proclamation against priests and Jesuits showed the temper of the Commons. It was evident that its Nonconformist members preferred persecution to Catholic toleration. Out of doors the same spirit was apparent, and the Dissenters, ready as they were to take advantage of the respite afforded by the Declaration, were more than ever alienated from the King. So great were the jealousies engendered in Parliament that revenue itself seemed likely to suffer. The discussion of supply dragged, and for the first time the Commons seemed disinclined to act promptly, much less generously.

But on June 12 this matter was expedited in a surprising manner. The Houses were summoned to Whitehall and urged by the King in an alarming speech to vote speedy and liberal supply on the ground of imminent danger to the state. He assured them their zeal was never more needed. A plot to seize Dublin Castle had been discovered. The conspiracy was widespread, the danger was not over, the government was taking every step to secure itself, but supply was imperative for arms and garrisons. The appeal was effective. Four subsidies were promptly voted and a bill then pending to better the militia pushed to completion.<sup>85</sup> Though the King's speech came as a surprise to many, the news it contained was a fortnight old. And long before it had reached London, ever since the assembling of Parliament, in fact, the government had been disturbed by news of imminent danger.<sup>86</sup> In the wild talk of a Captain Gregory, prisoner of state in the Tower, had been hints of war in Ireland, and a design on Whitehall and the Tower in London.<sup>87</sup> Early in May intercepted letters which seemed to incriminate two brothers, Richard and Ignatius White, and one James Smart, apparently a recruiting officer of rebellion, came into their hands, but in spite of their utmost efforts could not be unraveled.<sup>88</sup> Later in the same month came more promising information. An old soldier, Matthew Moreton, of Ingleton, Staffordshire, with great caution, and acting under advice of counsel, deposed that a general rising was planned, that he had been asked to enlist, and told that a party would be in arms in Scotland and Ireland, that a declaration had been printed in Edinburgh, that 40,000 to 50,000 men, mostly old soldiers, were engaged to throw down the

<sup>85</sup> *Parl. Hist.*, IV. 253 ff.

<sup>86</sup> Pepys, March 20, April 3, 8, 14, 1663, and below.

<sup>87</sup> *Cal. St. P. Dom.*, 1661-1662, pp. 604-606; *id.*, 1663, pp. 7, 46, 72.

<sup>88</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 72-264 *passim*.

bishops, that the rising had already begun in Ireland, and that the design was so far advanced that it could not be checked by discovery. "The sword will hew before the scythe mows" was the watchword of the revolutionaries, and circumstances seemed to warrant the prophecy.<sup>80</sup> Increasing unrest was reported in many directions and the posts were constantly tampered with.<sup>80</sup> As early as March two plots had been unearthed, one in Dublin,<sup>81</sup> the other in Durham, and several arrests made. The man most wanted in the latter design, one Paul Hobson, however, had escaped.<sup>82</sup> The news from Dublin was not therefore wholly a surprise, least of all to those who understood the situation in Ireland.

The Cromwellian conquest of the Irish had been followed by wholesale confiscation of Catholic and Royalist lands which were granted or sold to the Parliamentary soldiers. After the Restoration a court had been set up to adjudicate what were in most cases hopelessly conflicting claims of the old owners and the new. Its awards had irritated almost every section of the population but most of all the Cromwellians, who suffered most. The dispossessed party, desperate at loss of power and property and hopeless of redress from the authorities, determined to resist by force of arms. A committee of old officers and Parliament men was chosen to direct the movement from Dublin, and it was proposed to seize the Castle and rouse the people to rebellion. Communication was opened with the north of Ireland, Scotland, England and the refugees on the Continent. The first plan was to rise in March, but that failed. The conspirators however persisted in their design. A declaration for liberty of conscience and possession of the lands was printed, and a most ingenious ruse planned for seizing the Castle. Many prominent men were engaged, Colonel Carr to lead the Scots; Ludlow's brother-in-law, Colonel Kempson, and Colonel Jephson; Lecky, a fellow of Trinity College, and his brother-in-law of much fame thereafter, Lieutenant Blood; two old Parliament men, Warren and Thompson; and others, the chief director being a Major Staples. The design was deep-laid and far-reaching, and in the disturbed state of the country was not without some chance of success. But at the last the usual informer appeared in the person of one Philip Alden, who, with Sir Theophilus Jones, revealed the

<sup>80</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 152-155, 169.

<sup>81</sup> *Ibid.*, January to May, 1663, *passim*.

<sup>82</sup> Pepys, March, 1663, *passim*; Carte, *Life of Ormonde*, VI. 105 ff.

<sup>83</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 83, 91; cf. also *id.*, 1661-1662, pp. 5, 54, 59, 559, August 12, 1661, and November 20, 1662.

plot to the Duke of Ormonde. Prompt steps were taken to secure the Castle and seize the plotters. The country was alarmed, the ministers who had been active agents of the conspiracy were silenced or arrested and warning sent to London. Many of the plotters were arrested. Staples, Jephson, Warren and Thompson were tried and executed in July. Lecky, after every attempt to save him had failed, was brought to the scaffold in December. Blood escaped, first to the north of Ireland, thence taking refuge in Lancashire. Others, including Colonel Carr, found their way to Holland.<sup>93</sup>

Thus, while the plots in Ireland and northern England had failed, it was apparent, as the King said, that the danger was not over. The more daring and important leaders had escaped, the conspirators' correspondence had not been discovered, the disaffection everywhere increased. On the strength of the revelations, as we have seen, money was voted and a militia bill enacted. It had been determined that no alteration in the forces should be made without the joint assent of Southampton, Albermarle, Morrice and Bennet,<sup>94</sup> and orders were issued to reorganize the militia under the new act. At the same time and under the same influence the Commons passed a bill to prevent popery and another, the later Conventicle Act, to prevent meetings of the sectaries. These being obstructed in the Lords, they petitioned the King for a proclamation commanding the enforcement of the laws against Protestant and Catholic Dissenters.<sup>95</sup> The disturbed state of affairs was emphasized by the attempt of the Earl of Bristol to impeach the Chancellor of high treason. Ill drawn and extravagantly urged, the impeachment failed. Bristol was disgraced and obliged to flee.<sup>96</sup> And, as an unexpected result of his mad attempt, he became a popular hero. The London mob drank openly to his health as the champion of the nation, Catholic though he was, and the keenest interest in his fate was evidenced on every hand. Whatever the motive of Bristol's attack on Clarendon, however futile it proved, it was supported by an extraordinary popular hatred of the Chancellor, a sign of the times not lost on shrewd politicians.<sup>97</sup> With this and the abstrac-

<sup>93</sup> Carte, *Ormonde*, VI. 105 ff., VII. 102; *Secret Hist.*, I. 244 ff.; *Hist. MSS. Comm. Reports*, VIII. 500, 502, and App. I. 263, XV. 7, p. 170, and *Ormonde*, II. 251, III. 71, 124.

<sup>94</sup> *Cal. St. P. Dom.*, 1663-1664, p. 143.

<sup>95</sup> *Parl. Hist.*, IV. 269 ff.

<sup>96</sup> *Ibid.*, and *Cal. St. P. Dom.*, 1663-1664, p. 254; *Clarendon, Life, Cont.*, 475 ff.; *Secret Hist.*, II. 29 ff.

<sup>97</sup> Jusserand, *A French Ambassador*, pp. 104 ff., 218; *Cal. St. P. Dom.*, 1663-1664, p. 531, and October to November *passim*. Foster said he "would make the streets run blood before Lord Bristol should fall".

tion of a bill for better observance of the Sabbath from the table in the House of Lords, gossip was unusually busy in the last days of the session. The King's speech in proroguing the Houses heightened rather than allayed the uneasiness. He had expected, he said, to have bills against distempers in religion, seditious conventicles and the growth of popery presented to him, but he judged that the Houses had been deterred by fear of reconciling those contradictions in religion in some conspiracy against the public peace. If he lived to meet them again he would present two bills of his own to that end. Meanwhile he asked them to aid the judges in preventing assemblies of Dissenters and in collecting the subsidies. With these words Parliament was prorogued on July 27.<sup>98</sup>

It was no mere alarmist sentiment which prompted this speech nor was it based wholly on the Dublin revelations. From many directions warning of rapidly approaching trouble had been coming in for some time. The number of arrests and examinations increased, a design to burn the ships was reported, an intercepted letter to Lady Vane hinted mysteriously of "a good time coming".<sup>99</sup> But it was not until a few days before Parliament was prorogued that the information which inspired the royal speech seems to have come into government hands. The once skeptical governor of York, Sir Thomas Gower, had gradually become convinced that there was real danger and urged the administration to take steps to meet it. His information indicated that a plot had been laid in February, that its leaders had taken an oath of secrecy at Durham in March, and established relations with groups in Yorkshire and London. Meetings were thenceforth held by these men with emissaries from Ireland, from Lancashire and Scotland. In May Dr. Richardson, one of the revolutionary leaders, framed a declaration which was submitted to the various groups for alteration, and two men were chosen from each of the dissenting congregations interested to carry on the design. The Scots were invited to join, and it was decided to take advantage of the assizes at York, the first week in August,<sup>100</sup> to seize the city as headquarters of the rebellion. Simultaneous risings were planned in Westmoreland, Durham, Newcastle, Leeds and Berwick, and a ship with arms and ammunition was expected at Shields.<sup>101</sup> Unfortunately for the success of

<sup>98</sup> *Parl. Hist.*, IV. 285-289; Clarendon, *Life, Cont.*, p. 415 ff.

<sup>99</sup> Cf. especially Captain George Elton and Foynes Urry, *Cal. St. P. Dom.*, 1663-1664, pp. 193, 196 and *passim*, 178, 199, and Sir Duncan Campbell's visit to the north of England.

<sup>100</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 212, 216.

<sup>101</sup> *Ibid.*, p. 284.

the plotters one of their number, a Major Greathead, was or became an informer, and with Colonel Smithson, also privy to the plot, revealed it to Gower.<sup>102</sup>

Scarcely had Parliament risen, therefore, when steps were taken to repress the impending disturbance. On August 3 Colonel Freschville was ordered to York with troops of horse and foot.<sup>103</sup> The lord lieutenant, the Duke of Buckingham, and his deputies repaired to their posts. The militia was set on foot, warnings sent to the authorities in the other counties and towns, and a hundred "chief designers" seized under pretence of attending illegal meetings (August 5-7).<sup>104</sup> These measures averted whatever danger there was and the prisoners were presently released with orders to report any plot or disaffection which came to their notice. Believing their plans unknown they proceeded with their conspiracy.<sup>105</sup> On August 18 a letter from Paul Hobson to John Joplin, gaoler of Durham and one of the contrivers of the plot, was intercepted by the government. Hobson's whereabouts were thus discovered and he was at once arrested and sent to the Tower. There he was forced to testify against his fellows, who, though they did not know it, were thenceforth at the mercy of the government.<sup>106</sup> They planned a rising for September 3, but the York commissioners of militia with the aid of Gower and the Earl of Derby easily prevented it and made several arrests. Hardly was this done, however, when it was reported that this was merely a feint to cover a real design set for October 12. An attempt was then to be made on Whitehall. The King, the Dukes of York and Albemarle, the Treasurer and the Chancellor were to be seized. Newcastle and Tamworth were to be taken as a means of communication with Scotland, Nottingham and Gloucester surprised, the passes over the Severn and Trent thus secured, and Boston fortified as a base of supplies sent from Holland. Ludlow was to command in the west, and there and in the Midlands thousands were enlisted. It was expected that the Guards would be despatched to put down the rising and that the City would revolt on their departure. Agents and allies were reported on the Continent, and Lords Fairfax, Wharton, Manchester,

<sup>102</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 329-332, rewarded 382.

<sup>103</sup> *Ibid.*, p. 226; Reresby, *Memoirs*, August 2, 1663.

<sup>104</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 77, 235, at Exeter and Barnstaple, 231, 282, Devon; *Hist. MSS. Comm. Reports*, XV, 7, p. 96.

<sup>105</sup> *Cal. St. P. Dom.*, 1663, p. 245.

<sup>106</sup> *Ibid.*, pp. 263, 278-281. They suspect this, pp. 237, 258; cf. also pp. 225-226, 234-236, 289.

and General Waller, with several members of Parliament were said to be implicated.<sup>107</sup>

The information was too precise and trustworthy to be neglected and as October 12 approached every precaution was taken to prevent or crush the rising. In London, so far from the Guards being sent away, they were reviewed by the king himself on the day set for the insurrection, and no small fault found with their condition.<sup>108</sup> Garrison commanders were despatched to their posts, lord lieutenants and local officials warned to be on their guard in all the disaffected districts.<sup>109</sup> The Duke of Buckingham, who had hurried to his lord lieutenancy of Yorkshire, called out the militia, set guards at Stamford Bridge and elsewhere, and ordered troops to rendezvous at Pomfret and Ferrybridge.<sup>110</sup> The York city train-bands were called out, two regiments left to defend the city and the others sent to the West where the greatest danger was supposed to be.<sup>111</sup> Similar measures were taken in Westmoreland, Durham, Hull, Newcastle, Beverly and Leeds.<sup>112</sup> The great floods hampered the activity of the authorities, but by October 11 they had several thousand men under arms, and were fully prepared for any ordinary rising.<sup>113</sup> The conspirators, on the other hand, even more hampered by the weather, surrounded and betrayed, were at the mercy of the government. None the less they made three attempts to rise. At Kaberrig in Westmoreland less than a score of men assembled under the lead of Captain Atkinson and Captain Waller. Discouraged by the fewness of their numbers, the apathy of the country and the preparations made against them, they rode to Birkey and dispersed. The same fate overtook a similar body under Captain Jones at Muggleswick Park in Durham. The most formidable gathering meanwhile took place at Farnley Wood near Leeds. There some three hundred men under Captain Rymer and Captain Oates threw up entrenchments and made other preparations for defence. But their numbers did not increase as they hoped, their resolution failed, and they dispersed before morning.<sup>114</sup>

<sup>107</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 257-292 *passim*. William Stockdale, M.P. for Knaresborough, seems to have been implicated, *ibid.*, p. 621.

<sup>108</sup> *Ibid.*, pp. 257-279; Pepys, October 12, 1663.

<sup>109</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 294, 297.

<sup>110</sup> *Ibid.*, p. 296; *Hist. MSS. Comm. Reports*, XII. 2, p. 144 (Duke of Buckingham at Pomfret with 1500 men).

<sup>111</sup> *Cal. St. P. Dom.*, 1663-1664, p. 294.

<sup>112</sup> *Ibid.*, pp. 284, 294, 298-299, 301, 305.

<sup>113</sup> *Ibid.*, p. 296.

<sup>114</sup> This account is based largely on the unpublished reports of Sir T. Gower,

Thus ended in almost pitiable failure the much heralded plot of 1663. There remained but little for the government to do but to hunt down and punish the conspirators.<sup>115</sup> Many were seized and held for trial at York and Appleby. Some committed suicide, some treated for pardon. Many of the leaders, including Jones, Richardson, the two Atkinsons and Mason, escaped to Scotland, to Ireland, to Holland, to London, or remained hidden in the North.<sup>116</sup> Captain Robert Atkinson who had been imprisoned at Appleby escaped and planned the rescue of his fellow-prisoners, but the train-bands were called out, his plan failed and he was presently recaptured.<sup>117</sup> Mason was taken, escaped and was retaken, but the whereabouts of his associate, the Irish conspirator Blood, who was suspected of a hand in this new business, remained unknown.<sup>118</sup> The government spared no efforts to unravel the plot and punish the plotters.<sup>119</sup> The trial of the conspirators in January resulted in the execution of eighteen at York, three at Leeds and four at Appleby. Many others were sentenced to imprisonment, and a hundred or more released on security.<sup>120</sup> Later in the year some further executions raised the number of victims to about thirty. Strong efforts were made to connect greater names with the design.<sup>121</sup> On the first alarm Colonel Hutchinson, Colonel Neville and Major Salway had been arrested. But neither from them nor from any one else could evidence be obtained against men of rank or fortune. Atkinson's confession which purported to reach the inner secrets of the design was like many such, stimulating alarm and curiosity but containing little the government did not already know, and that little incapable of proof. The plan, he said, was laid in the south. Dr. Richardson, John Joplin and Paul Hobson were among the original leaders but

Record Office Papers, 1663, vol. LXXXI., no. 77 (noted in *Cal. St. P. Dom.*, 1663-1664, p. 298). Cf. also Reresby, *Memoirs*, August 2, 1663; *Surtees Society Publications*, XL. xix ff., 102 ff., for depositions; *Hist. MSS. Comm. Reports*, XIII. 2, pp. 7, 93; *Secret Hist.*, II. 55 ff.; Clarendon, *Life, Cont.*, p. 503 ff.; *Cal. St. P. Dom.*, 1663-1664, pp. 299, 301, 312, 346-347.

<sup>115</sup> *Cal. St. P. Dom.*, October to December, 1663, *passim*.

<sup>116</sup> *Ibid.*, pp. 331, 371-376, 405, 441; *Hist. MSS. Comm. Reports*, Heathcote, p. 145.

<sup>117</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 332-336, 340; *Hist. MSS. Comm. Reports*, XII. 7, p. 31.

<sup>118</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 323-465 *passim*.

<sup>119</sup> *Ibid.*, pp. 360-389 *passim*.

<sup>120</sup> *Ibid.*, pp. 431, 523-524; *Hist. MSS. Comm. Reports*, Ormonde, III. 140; *Surtees Society Pubs.*, XL. xix ff., 102 ff.

<sup>121</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 63, 301 ff., 314-324, (the Duke of Buckingham was suspected and his request for more troops refused, 301); *Hist. MSS. Comm. Reports*, XV. 7, p. 96.

Hobson played false. Their purpose was to compel the King to keep his promise of toleration to all but Catholics, remove the hearth money, excise, and other taxes, and restore a Gospel ministry and magistracy. Fairfax, Manchester and Sir John Lawson knew of the design but disowned it, and Wharton was privy to it. Albemarle and Buckingham were to have been killed, Hull, Appleby and Carlisle seized. Ludlow and Goffe were to have led parties against Whitehall. Many in the Life Guards, in Albemarle's regiment, in the fleet, in Scotland and oversea, with men of quality in England were engaged. Atkinson, reputed an old informer, was said to be false and subtle, and his examinations seemed to indicate either that this was true or that, as had been reported, the plot was so arranged that no one could betray it if he would.<sup>122</sup>

Despite such unsatisfactory information as this the whole matter henceforth assumed a new aspect. In place of the vague and uncertain rumors of earlier years the government had now certain undisputed facts to deal with. It had actually seized some revolutionaries and learned the names of others. It proceeded therefore to complete its information and its captures.<sup>123</sup> Holland was the first objective. Thence the refugee Colonel Bampffield and a spy, Custis, furnished news of their associates.<sup>124</sup> The latter, indeed, interviewed Dr. Richardson himself. The doctor admitted having written the declaration, but attributed the authorship of the address to the Quakers to one Denham. He had left York August 6, the day Captain Rymer landed in England to take part in the rising, and so had no share in the actual insurrection. That, he declared, failed on account of poor leadership, Walters, who was to have led them, having gone mad. Their numbers were small but their faith strong, and they believed miracles would attend their godly design. This was vague enough and the government turned to other measures.<sup>125</sup> The informers were rewarded, the leading prisoners respited for further examination, and many attempts made to suppress a seditious pamphlet *Mene Tekel* attributed to Captain Jones.<sup>126</sup> Much energy was fruitlessly expended in an effort to seize one Sydrach Lester a shipmaster carrying revolutionary contraband be-

<sup>122</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 352-540 *passim*.

<sup>123</sup> *Ibid.*, pp. 294, 309, 405, 476 and below.

<sup>124</sup> *Ibid.*, pp. 386, 505.

<sup>125</sup> *Ibid.*, pp. 505, 512-513, 521. Walters and Carr implicated Neville, Salway and Wildman, *ibid.*, pp. 391-392. A plan for a Parliament of 300 members, p. 404.

<sup>126</sup> Published by an old offender, Elizabeth Calvert, *ibid.*, p. 465.

tween England and Holland.<sup>127</sup> An old officer of the Duke of York sent in reports of his earnest effort to kill or kidnap Ludlow and his fellow refugees in Switzerland.<sup>128</sup> The political prisoners were again redistributed among the prisons, in accordance with the policy of never leaving them long in the same place. And finally,<sup>129</sup> measures were taken to crush or overawe Dissent in those places where an investigation set on foot in the preceding August had showed that it was practically undisturbed. With the situation well in hand the administration prepared to meet Parliament.<sup>130</sup>

The Houses came together in March 1664. It is not surprising that their attention was directed to the recent disturbances. Upon these the King laid the stress of his speech. One question, in particular, of vital importance to them, he said, had been raised by the insurrection. Some plotters had declared for the Long Parliament, others maintained that the present Parliament had expired according to the Triennial Act of 1641, and proposed, in the absence of new writs, to assemble and choose another themselves. Ought they not, therefore, to repeal the act which made their own existence a matter of question? His argument was effective. Within a week the Triennial Act was repealed, and the existing royalist Anglican Parliament perpetuated, subject only to royal will. Nor was this all. Recent revelations had convinced the majority that the conventicles were hotbeds of sedition, which neither the old acts of Elizabeth nor their own measures had checked. A bill against such meetings which had failed in the Lords during the previous session was now revived under the influence of the plot and passed both houses, as the Conventicle Act. Thenceforth it was illegal for more than five persons besides a family to meet for religious service outside a church.<sup>131</sup>

With the passage of this measure, the executions for the plot of 1663, and the repeal of the Triennial Act, the first period of Restoration conspiracies, and of its politics generally, ended in this

<sup>127</sup> He was captured, escaped and joined the Dutch navy, *Cal. St. P. Dom.*, 1663-1664, pp. 279-387 *passim*.

<sup>128</sup> *Ibid.*, pp. 380, 398; Ludlow, ed. Firth, II. 359, 382 ff., 482.

<sup>129</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 430-431, 438, 461; *Hist. MSS. Comm. Reports*, Heathcote, p. 144.

<sup>130</sup> *Cal. St. P. Dom.*, 1663-1664, pp. 293-298, 306-348 *passim*, 452-460, 433-458 (examinations), 301, 350 (proclamations, old soldiers to leave London).

<sup>131</sup> Clarendon, *Life, Cont.*, p. 506 ff.; *Parl. Hist.*, IV. 289-296; *Cal. St. P. Dom.*, 1663-1664, pp. 552-559. Many alarms and train-bands out, Pepys, March 27, 1664. The Nonconformists defied or evaded these measures. Cf. Calamy, *Memorials*, I. 177, 307, 514, II. 387, etc.

spring of 1664 with the triumph of the administration. The royalist Anglicans had legislated themselves into the control of the church livings and the borough corporations. The Parliament which they controlled was indefinitely perpetuated. The meetings of their rivals were made unlawful. The efforts of the party of force to overthrow them had not only failed but had largely contributed to Anglican success. So true was this that the defeated party declared that these so-called plots were, in fact, urged on by those in power for their own ends.<sup>132</sup> In the Sparry-Yarrington episode, possibly in some cases beside, this charge seems to contain an element of truth. But no one can read the information which deluged the secretaries without feeling that, plot or no plot, with all allowance for exaggeration and untruth, there was enough to cause such a government as that of Charles II. serious uneasiness. It is not incredible that some men played on these fears for their own ends. It has been admitted that the use of spies was excessive and the results harmful. But it was not the first time nor the last that men in such a position have been moved by panic. Stronger governments than that of Charles II. under slighter provocation have resorted to like measures to crush less formidable foes. And it cannot be denied that, whether as a result of its own policy or not, events increasingly demonstrated the existence of a revolutionary party opposed to the English government in England, Scotland, Ireland and on the Continent. Never formidable enough in mere numbers to seriously threaten a government which had reasonable support at home and no foreign complications, this was none the less a source of danger. The revolutionary plans clearly reveal the direction in which that danger lay. The widespread discontent among the masses over the government's religious and financial policy offered a fertile field for conspiracy and possible rebellion. The seizure of a defensible position and successful resistance might precipitate civil war and popular support of the revolutionaries. The death of the King and a disturbed succession would doubtless have accomplished the same end. A foreign war might afford similar opportunity. The weakness of the revolutionaries lay in the mutual antagonism of the various elements opposed to the government. Their dislike of the administration was equalled or

<sup>132</sup> Cf. Neal, *Puritans*, p. 530; *Secret Hist.*, I. 462; Rapin, ed. 1769, pp. 860, 889; Burnet, *passim*; Ludlow, II. 341, etc. Howell, *State Trials*, VI. 226, says of Tong, etc., that government greatly exaggerated but there was certainly some danger. This seems a fair statement of the whole matter. Cf. also Lister, *Life of Clarendon*, II. 280 ff.

exceeded by their dislike of each other, and upon this the party in power could safely rely. None the less the plotters had materially influenced the course of events in spite of their own failure and the disasters they had brought upon Nonconformity in general. They had, it is true, contributed more than any other force to the triumph of their opponents and to the enactment of the so-called persecuting measures. But they had at the same time helped to make compromise impossible, and by their indirect assistance in preventing comprehension had assisted in deepening the division between Churchman and Dissenter.

Doubtless their importance was as much magnified by the Anglicans then as it has been neglected since. They had caused much uneasiness, but they had failed in their two chief plans, insurrection and the seizure or assassination of the King. If matters had remained as they were in the spring of 1664, that period might well have seen the end of revolution and revolutionaries alike, and their epitaph would have been written in the statutes against Nonconformity they had given their enemies so much assistance in enacting. From this fate they were saved by the third alternative, foreign war. Clarendon's rivals in the Council at this juncture espoused the cause of the merchants against the Dutch as they had hitherto championed the same dissenting interest against the Anglicans. With the outbreak of hostilities between England and Holland the history of the English revolutionaries enters on a new phase.

WILBUR C. ABBOTT.

## THE SOUTH CAROLINA FEDERALISTS, I.

ORIGINAL material for Southern history has been so scarce at the centres where American historiographers have worked, that the general writers have had to substitute conjecture for understanding in many cases when attempting to interpret Southern developments. The Federalists of the South have suffered particularly from misrepresentation and neglect. Their Democratic-Republican contemporaries of course abused them; the American public at large in the following generation was scandalized by the course of the New England Federalists, and placed a stigma upon all who bore or had borne the name of Federalists anywhere; no historical monographs have made the pertinent data available; and the standard historians, with the exception of Henry Adams, who has indicated a sound interpretation in the form of conjecture but who has given no data, have failed to handle the theme with any approach to adequacy. The South Carolina group appears to have been typical of the whole Southern wing of the Federalists; and because of the greater fullness of the extant documents and the more apparent unity of the theme, the present essay will treat of the origin, character and early career of the party in the state where it was most prominent, rather than in the Southern region at large.

South Carolina has always been in large degree a community apart from the rest of the United States. The long isolation of the colony upon an exposed frontier, and the centralization of commercial, social and political life by reason of the great importance of the city of Charleston, had given the commonwealth a remarkable sentiment of compactness and self-reliance. In the whole period from the Revolution to the Civil War the tendency of public opinion generally prevailing was to regard the membership of their state in the Federal Union as merely providing a more or less intimate alliance of the states, as mutual convenience might require. The stress of somewhat abnormal conditions, however, led many prominent men in the state to favor strong powers for the federal government throughout the period from 1786 to the time of the "second war for American independence", in 1812-1815.

In the internal politics of South Carolina, an aristocracy composed of the planters and the leading Charleston merchants was

generally in control of the state government, but was in chronic dread of defeat at the ballot-boxes. In the opposition there was a body of clerks, artisans and other white laborers in Charleston, much inclined at times to assert democratic doctrine, and there was a large population of farmers in the distant uplands, non-slaveholding in the eighteenth century, disposed to co-operate with the submerged Charleston democracy on occasion, but rendered partly helpless by a lack of leaders and organization. The control by the planters, furthermore, was safeguarded by a constitutional gerrymander which gave their districts (the lowlands) a more than proportionate representation in the legislature; and this advantage was jealously guarded by the planters, who feared unsympathetic administration, if no worse, by the democracy. The planters were large producers on a capitalistic basis, analogous to factory owners of more recent times, and often they operated on credit. They were generally disposed to be conservative in business, anxious to keep their credit good and to maintain friendly relations with the commercial powers.<sup>1</sup> In addition, these men, who were residents among and rulers of a dense negro population, could not afford to accept and propagate such socially disturbing ideas as the doctrine of the inherent freedom and equality of men. The danger of fomenting servile discontent was too great.

In most of its problems except where the negroes were concerned the South Carolina ruling class found its interests to be harmonious with those of the Northern sea-board; and the problems of negroes and slavery furnished no overt issues in that period which could not be speedily patched up. The more obvious problems before the whole country were such as to promote little antagonism between North and South. All states and sections had similar tasks of rehabilitation after the war, similar needs of establishing an effective central government, similar difficulties of finance and commerce, similar danger from the French agitation in the Genet period, similar problems in general of maintaining a suitable equilibrium between social compactness and personal liberty and between national unity and local self-government. In nearly all the ques-

<sup>1</sup> The importance of commercial relations to the plantation interests may be gathered from the statistics of exports. For example, in 1791 the exports of South Carolina were valued at 2.9 million dollars, as compared with 3.8 from Pennsylvania, 3.5 from Virginia, 2.9 from Massachusetts and 2.5 from Maryland. In 1800 they were, from South Carolina 10.6 million dollars, from New York 14, from Maryland 12, from Pennsylvania 12, from Massachusetts 11.3, from Virginia 4.4.

tions of the period the issues lay between classes of people differentiated by temperament, occupation and property-holding, rather than between sections antagonized by the pressure of conflicting geographical conditions and needs. The temperament of the South in general was more impulsive than that of the North, and therefore its views were likely to be the more democratic in that period of democratic agitation; but there were many reasons why the dominant class in a state like South Carolina should keep firm hold upon its emotions. The traditions of the South, too, laid greater stress upon individualism and local autonomy; but the special needs of the period counteracted this tendency also among a large element who wanted most a stable régime and leaned toward constructive policy.

As in many other cases in American history, the first phase in South Carolina party development in the Federalist period was the rise of local factions differing over local issues. Each of these provided itself with more or less definite party machinery, and attracted to its membership the persons of appropriate economic interests, social affiliations and personal points of view. Finally each of the local parties sought alliance with parties in other states in the Union, with a view to exerting influence upon the common federal government.

A beginning of the Federalist frame of mind may be seen as early as the movement of revolt from Great Britain. This movement in South Carolina was controlled by the aristocracy, and had little concern with the doctrine of natural rights. It was merely a demand for home-rule, with few appeals to theory of any sort. It was, furthermore, a movement for home-rule in Anglo-America as a whole, and not for the independence of the separate commonwealth of South Carolina. As an illustration of this, Christopher Gadsden, whose work of leadership in South Carolina corresponds to that of Samuel Adams in Massachusetts, wrote as early as 1765, "There ought to be no New England men, no New Yorkers, etc., known on the Continent, but all of us Americans."<sup>2</sup> Gadsden, furthermore, was so conspicuously aristocratic in his general attitude that he was charged by a leading Democrat in 1783 with having originated "nabobism" in Charleston.<sup>3</sup> As might be expected accordingly, the experience of this commonwealth during the whole

<sup>2</sup> Letter of Christopher Gadsden, Charleston, December 2, 1765, to Charles Garth, agent of the colony of South Carolina at London. R. W. Gibbes, *Documentary History of the American Revolution, chiefly in South Carolina, 1764-1776*, p. 8.

<sup>3</sup> Letter of Alexander Gillon, *South Carolina Gazette*, September 9, 1783.

revolutionary period failed to emphasize either democratic theory or state-rights doctrine<sup>4</sup> as much as did the agitations in numerous other states.

The divergence of parties upon local issues began during the war, if not before. The stress of the war times was extremely severe. The capture of Savannah in 1778 and of Charleston at the beginning of 1780 enabled the British forces to overrun the whole countryside and lay waste large tracts as far distant as the middle of the Piedmont region. Some of the inhabitants opposed the invaders by enlisting in the Continental army, and some by serving in partisan bands under Marion, Pickens and Sumter. Others came out openly as loyalists, giving aid to the British. Finally, a number of well-to-do citizens of the Charleston district, after experiencing for some months the distresses of invasive war, discouraged at the gloomy local prospects, and believing now that the country was grasping at the shadow of liberty and losing the substance of prosperity and happiness,<sup>5</sup> ceased their more or less active assistance to the "patriot" cause, accepted protection from General Cornwallis, and assumed neutral status.<sup>6</sup> In January, 1782, the state legislature in its session at Jacksonborough, while the British still held Charleston, passed acts confiscating the property of loyalists and amercing a number of citizens listed as having accepted British protection and having deserted the American cause. This led to much subsequent controversy.<sup>7</sup>

At the close of the war, the country lay devastated, the field-gangs and equipment of plantations were depleted, markets impaired, and the British bounty lost which had sustained the indigo industry. Worse than all this, the body politic was torn by factional

<sup>4</sup> W. H. Drayton, it is true, in 1778 denounced the Articles of Confederation, then before the state for ratification, on the ground that they would strip the several states of powers with which they could not safely part and would create a central government of enormous and dreadful powers. Niles, *Principles and Acts of the Revolution*, pp. 98-115; Tyler, *Literary History of the American Revolution*, I, 491, 493. But this fantastic apprehension held by Drayton shortly before his death seems to have been sporadic and to have made no lasting impression unless upon a few men like Rawlins Lowndes, mentioned below.

<sup>5</sup> E. g., the case of Rawlins Lowndes as explained by Judge Pendleton in the *Charleston Evening Gazette*, October 27, 1785. See also, letter of Ralph Izard, April 27, 1784, to Thomas Jefferson, in the *South Carolina Historical and Genealogical Magazine*, II, 194, 195.

<sup>6</sup> For treatment of this general theme, see McCrady, *History of South Carolina in the Revolution*, *passim*.

<sup>7</sup> For a belated statement of considerations operating *pro* and *contra* in the debates at Jacksonborough, see the discussion in the Assembly, February 21, 1787, reported in the *Charleston Morning Post*, February 22, 1787.

spirit, and the leaders of opinion, though somewhat dazed by the magnitude and complexity of the problems to be handled, began clamoring in support of a great diversity of policies.

The first issue was upon the treatment of loyalists and other obnoxious persons. Most of the substantial citizens favored such toleration for these as the British treaty required; but a group of radicals undertook, without the formality of law, to administer discipline to selected persons, and to drive them from the state. It was doubtful for a twelvemonth whether mob law or statute law would prevail. Judge Ædanus Burke in his charge to the grand jury at Charleston, June 9, 1783, expressed fears that the people, rendered boisterous by the war times, might turn against one another in factions. Four men, said he, had been killed in Charleston since the British army departed, and numerous others in the country. He deplored the retaliatory spirit, tending to beget feuds and factions, and he urged the grand jury to take steps to crush all violence.<sup>8</sup> In spite of this, a number of men gathered on the evening of July 10, whether as a mob or as an organized company, and "pumped" four or five persons whom they thought obnoxious to the state.<sup>9</sup> Next day a number of men of official status, principally members of the legislature, waited upon the governor and asked him to safeguard the good name of the city and state by suppressing this spirit of violence. The governor at once issued a proclamation denouncing the disorder, declaring that future breaches of the peace would be punished, and appealing to the judges, peace officers and all good citizens to aid in discouraging conduct of such alarming tendency.<sup>10</sup>

Order was restored by this measure; but the spirit of persecution still lived, to break out again in the following year. Meanwhile the men who most strongly cherished this hostility organized themselves as a force to be reckoned with. The prime mover in this appears to have been Alexander Gillon, a Charleston merchant who had been commissioned as commodore by the state of South Carolina in 1780 and sent abroad to obtain and operate a navy for the state. His achievement then was to hire a frigate from the Duke of Luxemburg, to equip it with a French crew, and send it out, after months of delay, to prey upon the British merchant marine. This frigate was soon captured by the British navy, and its cost added a very large item to South Carolina's Revolutionary debt.

<sup>8</sup> *South Carolina Gazette and General Advertiser*, June 10, 1783.

<sup>9</sup> *Ibid.*, July 12, 1783.

<sup>10</sup> *Ibid.*

Gillon saw no maritime service, but remained a titular commodore. His principal colleague in the leadership of the Charleston radicals was Dr. James Fallon. Their followers appear to have been mostly of the city's unpropertied class.

There was at this time a club in Charleston named the Smoking Society, of a convivial character, or as said by its critics, bacchanalian. Gillon and Fallon had themselves made president and secretary respectively of this club, changed its name to the "Marine Anti-Britannic Society", and devoted it to the championship of radical causes in politics.<sup>11</sup> An indication of the strength of the faction which he headed lies in Gillon's election by the Privy Council to the lieutenant-governorship of the state, August 22, 1783,<sup>12</sup> just a month after the "pumping" episode. This action by the Council may have been due to its having a majority of radicals among its members, or perhaps as probably to the desire of the conservatives to pacify the radicals by placing their leader in a position of dignity but of harmlessness in the administration. That Fallon also was zealously active is shown by a letter in the *Georgia Gazette*, October 16, 1783, written by a Georgian signing himself "Mentor" and apologizing for his interference by saying, "I cannot be happy when a sister state is fomented by intestine broils". The writer warned the people of Charleston against Fallon as a demagogue and against the anarchy which mob action would bring: "The common people of Charleston, though liable to be misled, are still open to conviction. . . . Tell them", he urged upon the leading men of the city, "that the advantages resulting from the preservation of government are Freedom, Unanimity, Commerce, and National Reputation; point out to them that the damnable evils which eternally spring from the anarchy they have aimed at are Suspicion, Disension, Poverty, Disgrace, and Dissolution".

One of the Charleston papers printed in September a memorial of citizens of Northumberland County, Virginia, urging conservatism in public policy, liberal treatment towards foreigners, the refraining by public officers from the abuse of their powers, and the general toning up of political morality and manners.<sup>13</sup> Aside from

<sup>11</sup> Announcement of the annual dinner of the society to commemorate the evacuation of Charleston by the British on December 14, 1842. *Gazette of the State of South Carolina*, November 27, 1783. Letter signed "Another Patriot", *South Carolina Gazette and General Advertiser*, May 8 to 11, 1784.

<sup>12</sup> *South Carolina Gazette and General Advertiser*, August 23, 1783.

<sup>13</sup> Memorial by 69 inhabitants of Northumberland County to their delegates in the Virginia Assembly, June 10, 1783. *South Carolina Gazette and General Advertiser*, September 16 to 20, 1783.

this, little argument for conservatism appeared in the Charleston press during the autumn of 1783. The radicals were more active, but the quarrel died down in winter, to flare up again in the spring. Ralph Izard wrote Thomas Jefferson from his plantation near Charleston, April 27, 1784: "Would to God I could say that tranquility was perfectly restored in this State. Dissensions and factions still exist, and like the Hydra, when one head is destroyed, another arises."<sup>14</sup>

At this time the dissension was in full blast again; and the issue was more clear-cut than before. Each faction had acquired one of the daily newspapers as its organ. In the early spring the Marine Anti-Britannic Society adopted resolutions, described by its opponents as ridiculous and pompous jargon, and requested each of the gazettes of the city to publish them. Mrs. Timothy, who owned the *Gazette of the State of South Carolina*, gave them due publication; but John Miller, publisher of the *South Carolina Gazette and General Advertiser*, who was also state printer, "in terms very preemptory and disrespectful, refused to give any place in his gazette to the society's resolutions, evidencing thereby, as well as by some former acts of his toward the said Society, that his Press is not thoroughly uninfluenced and free". The society therefore resolved unanimously to boycott Miller's journal as regarded both subscriptions and advertisements.<sup>15</sup>

The Anti-Britannics now resorted to an attempt at terrorism. About the middle of April they posted handbills in Charleston listing eleven persons, either loyalists or recent immigrants, and giving them notice to quit the state within ten days. About the same time they or their allies did violence to the person of a Mr. Rees in the interior of the state; and Mrs. Timothy's paper published reports, apparently false, of similar lynch-law punishments inflicted upon other persons. In denouncing these proceedings, a citizen writing under the anonym "Another Patriot", in the *South Carolina Gazette and General Advertiser*, April 28, expressed the hope that persons about to sail from Charleston for Europe would not take the handbills too seriously nor spread lurid reports of them abroad, to add to the damage done the state by the reports of the "pumping match" of the previous year. He assured them that an association of the good citizens was being formed, resolutely determined to

<sup>14</sup> *South Carolina Historical Magazine*, II. 194.

<sup>15</sup> Preamble and resolutions printed in the *Gazette of the State of South Carolina*, April 8, 1784.

uphold the magistracy and to put it out of the power of malcontents to disturb the peace of the city.

The city council resolved on April 30 that in order to secure the suppression of any riots which might occur, the bell of St. Michael's church should be rung in case of turbulence, whereupon the intendant and wardens should at once repair to the state-house; and it commanded that all magistrates and constables, with their emblems of office, and all regular and peaceable citizens should rally likewise at the state-house and "invigorate the arm of Government".<sup>16</sup> This riot ordinance seems to have turned the tide against the Anti-Britannics. The writer "Another Patriot" declared in Miller's paper of May 11, that most of those who had been followers of Gillon and Fallon had joined the society in the belief, fostered by its officers, that it would advantage them in their trades; but that these had at length seen through the cheat, and that at a recent meeting only thirty-nine members could be assembled out of the six hundred of which the society's hand-bills had boasted.<sup>17</sup> This exposure was shortly followed by ridicule. A citizen calling himself "A Steady and Open Republican", in a long article denouncing Fallon, turned upon the society:<sup>18</sup>

Carolina, that has not twenty of her natives at sea, immediately to set up an Anti-Britannic Marine Society! Laughable indeed! If intended to raise a Navy, that is expressly contrary to the Confederation, and I confess the very thought of such a thing gives me the gripes, before we recover from the endless expences and embarrassments of the wretched bargain made for us only in the *bare hire* of one single Frigate.

Several anonymous radicals replied,<sup>19</sup> and a running controversy was kept up in the gazettes from May to September. There was apparently for some years no further attempt at mob action;<sup>20</sup> the radicals turned their attention instead to getting control of the government through polling majorities in the elections. Of this and the outcome, John Lloyd wrote from Charleston, December 7, 1784, to his nephew, T. B. Smith:<sup>21</sup>

<sup>16</sup> *South Carolina Gazette and General Advertiser*, May 1, 1784.

<sup>17</sup> *Ibid.*, May 11, 1784.

<sup>18</sup> *Ibid.*, May 13, 1784.

<sup>19</sup> One of these was driven to reveal himself as William Hornby.

<sup>20</sup> *E. g.*, M. Petrie wrote from Charleston, May 18, 1792, to Gabriel Manigault, Goose Creek, S. C.: "M. de Kereado has taken passage in Garman, just arrived. He is very right to leave this town, full of discord. Threatenings of raising the mob against some lately arrived have succeeded to the *impuissance* of raising or getting the Law against them." MS. in possession of Mrs. Hawkins Jenkins, Pinopolis, S. C.

<sup>21</sup> MS. in the Charleston Library.

The malecontented party having by several publications endeavoured to influence the electors throughout the State to make choice of men to represent them in the General Assembly, from the lower class: the gentlemen of property, to preserve their necessary consequence in the community and in order to prevent anarchy and confusion, have almost unanimously exerted themselves in opposition to them, and it is with particular pleasure I inform you they have pretty generally carried their point, especially in this city, so that we shall have exceedingly good representation, and by that means support the honor and credit of the country.

Antagonism to the aristocracy, however, was strong, particularly in the upland districts, where the cotton industry did not yet exist and a small-farming régime prevailed. Izard wrote to Jefferson, June 10, 1785: "Our governments tend too much to Democracy. A handicraftsman thinks an apprenticeship necessary to make him acquainted with his business. But our back countrymen are of opinion that a politician may be born such, as well as a poet."<sup>22</sup>

The governor gave notice on March 17, 1785, that all persons who had been exiled from sister states and had taken refuge in South Carolina must leave the state within one month from the date of this notice; and that all persons who had been banished from South Carolina and had returned thither under the provisions of the British treaty, might remain in the state for three months longer than the treaty stipulated, but must depart immediately at the end of that period.<sup>23</sup> This action by the executive put an end to the anti-loyalist agitation; but the parties already in process of evolution continued to develop and to oppose one another upon successive new issues.

The prevalence of acute hard times, reaching extreme severity in 1785 and 1786, turned public attention sharply to questions of industry, commerce and finance. A narrative of economic developments in the state following the close of the British war was related by Judge Henry Pendleton in his charges to the grand juries of Georgetown, Cheraws and Camden Districts, in the autumn of 1786, in part as follows:<sup>24</sup>

No sooner had we recovered and restored the country to peace and order than a rage for running into debt became epidemical; instead of resorting to patient industry, and by slow and cautious advances, recovering to the state that opulence and vigor which the devastations

<sup>22</sup> *South Carolina Historical Magazine*, II, 197.

<sup>23</sup> *Gazette of the State of South Carolina*, March 21, 1785.

<sup>24</sup> *Charleston Morning Post*, December 13, 1786. Practically the same narrative is given as a preface to an argument for the repeal of the "stay laws", in a letter signed "Appius", addressed to the General Assembly, and printed in the *Charleston Morning Post*, February 15 and 16, 1787.

of a long and calamitous war had destroyed, individuals were for getting rich by a *coup de main*, a good bargain—a happy speculation was almost every man's object and pursuit. Instead of a rigid economy, which the distress of the times so strongly excited, what a load of debt was in a short time contracted in the purchase of British superfluities, and of lands and slaves for which no price was too high, if credit for the purchase was to be obtained; these fatal effects too were accelerated by the very indulgence and lenity which afforded the happiest opportunity to those in debt to surmount all their difficulties—I mean the act for prescribing the payment of old debts by instalments of one, two and three years; had this act totally abolished all old debts, men could not with more avidity have run on contracting new ones. How small a pittance of the produce of the years 1783, 4 and 5, altho' amounting to upwards of 400,000 l. sterling a year, on an average, hath been applied toward lessening old burdens? Hence it was that men not compelled by law to part with the produce of these years, for the payment of their debts, employed it to gain a further credit in new purchases to several times the amount, and thereby forced an exportation of it to foreign parts, at a price which the markets of consumption would not bear—what then was the consequence?—the merchants were driven to the exportation of gold and silver, which so rapidly followed, and with it fled the vital spirit of the government:—a diminution of the value of the capital, as well as the annual produce of estates, in consequence of the fallen price,—the loss of public credit, and the most alarming deficiencies in the revenue, and in the collection of the taxes; the recovery of new debts, as well as old in effect suspended, while the numerous bankruptcies which have happened in Europe, amongst the merchants trading to America, the reproach of which is cast upon us, have proclaimed to all the trading nations to guard against our laws and policy, and even against our moral principles.

The governor's message to the general assembly on September 26, 1785, called attention to the calamitous state of affairs existing: money scarce, men unable to pay their debts, and citizens liable to fall prey to aliens. The House at once appointed a committee of fifteen members on the state of the republic. In the open debate which this large committee held on September 28, several remedies for the shortage of money were proposed: one by Ralph Izard on behalf of conservatives, that the importation of negro slaves be prohibited for three years and the community thereby saved from the constant drain of capital which it was suffering; others by radical representatives for the more obvious but more short-sighted recourse to stay-laws and paper money.<sup>25</sup> The assembly at this session adopted the proposal of paper money, and authorized its issue to the amount of £100,000, to be loaned to citizens, on security, for five years at seven per cent.<sup>26</sup>

<sup>25</sup> *Charleston Evening Gazette*, September 26 and 28, 1785.

<sup>26</sup> Act of October 12, 1785, in Cooper and McCord, *S. C. Statutes at Large*, IV, 712-716.

Next spring, the depression had grown even more severe. Many Charleston merchants had gone out of business and the rent of shops had fallen one-third.<sup>27</sup> Commodore Gillon, a member for Charleston, proposed in February, 1786, a stay-law, granting debtors three years in which to meet obligations, and exempting them from sheriffs' sales meanwhile. After long debate this bill passed the House, but it was apparently defeated in the Senate. In December Gillon stood for re-election, and was returned as twenty-eighth in the list of thirty representatives from the Charleston parishes.<sup>28</sup> In February, 1787, Gillon reintroduced his bill for a stay-law, and gave warning that if it were not enacted, something more radical might be expected. Dr. Ramsay, in opposition, denied the right of the legislature to interfere in private contracts, and said that the experiments which South Carolina had already made in stay-laws had shown that they promoted irresponsibility and did no substantial good. He declined to believe that the people would become tumultuous if the bill should fail to pass. Mr. John Julius Pringle, Speaker of the House, advocated the bill, stating that the voice of the people was so strenuous in its favor that it would not be sound policy to reject it. The bill passed the committee of the whole house by a large majority,<sup>29</sup> and was enacted. Other debates on phases of the same question occurred in 1788, which further widened the rift between conservatives and radicals.<sup>30</sup>

The industrial depression continued for several years longer, until in the middle nineties the development of the cotton industry, beginning with the introduction of the sea-island variety in 1786 in Georgia and two or three years later in South Carolina, and hastened and immensely enlarged in its possibilities by Whitney's invention of the short-staple gin, in 1793, brought a renewal of general prosperity. To illustrate the situation of numerous planters during the hard times, a letter is extant from Joseph Bee to a creditor, October 19, 1789:<sup>31</sup>

<sup>27</sup> Letter of John Lloyd, then president of the Senate of South Carolina, to T. B. Smith, April 15, 1786. MS. in the Charleston Library.

<sup>28</sup> His vote was 203, as against 426 for David Ramsay and Edward Rutledge, at the head of the poll, 422 for C. C. Pinckney, 413 for Thomas Pinckney, and similar votes for other conservative gentry. *Charleston Morning Post*, December 5, 1786.

<sup>29</sup> *Charleston Morning Post*, February 19, 1787. Act of March 28, 1787, in Cooper and McCord, *Statutes at Large*, V. 36-38.

<sup>30</sup> Debates on this subject, in the autumn session of the legislature, may be found in the *Charleston City Gazette or Daily Advertiser*, October 23, 1788.

<sup>31</sup> MS. among the Gibbes papers, owned by the Gibbes family, Columbia, S. C.

It has been my misfortune, among several hundreds to have been sued and even to have had Judgements obtained against me, in consequence of which I find the sheriff has a very valuable plantation of mine to be sold, which I at sundry times endeavoured to do, both at Public and Private Sale in order to satisfy my Creditors, but all my endeavour proved fruitless, therefore it would be needless for me in such a case to ask a Friend the favour, as I might naturally expect a Denial, therefore I would just leave the matter to yourself to act in whatever way you think proper, tho at the same time I could most heartily wish that I could command money in order to close the matter, as it gives me pain to be dunned at any time. . . .

Bee finally announced in the public prints, June, 1784, that having been reduced to poverty through the sale of his real estate by the sheriff for a thirteenth part of what he might formerly have had for it at private sale, he was now prepared to go to jail to convince his creditors—after which he hoped to be left in some peace of mind.

The assembly in 1791 provided for the gradual calling in of the loans made to the citizens under the act of 1785 and for the retirement of the paper money.<sup>32</sup> But in the following years measures occasionally prevailed for delaying the redemption; and there was almost constantly a dread among the conservatives that the radicals might again get the upper hand and, if unchecked by state or federal constitutions, do great mischief to the commonwealth.

Local concerns, however, were overshadowed after 1787 by problems directly connected with federal relations and policy, while in some cases, such as those of paper money, tariff and public debt, the former local problems were quickly handed over to the central government. It was quite natural under the circumstances, that the political factions which had grown into existence while the state government was managing nearly all of the public business should continue in life, and, after a brief period of transition and partial reorganization, should transfer the general application of their points of view and predilections to the affairs of the federal government.

The need of more efficient central control in the United States had been felt by the Carolina planters immediately upon the ending of the British war. An expression of this, for example, was a pamphlet attributed with probable justice to Christopher Gadsden.<sup>33</sup>

<sup>32</sup> Act of February 19, 1791, in Cooper and McCord, *Statutes at Large*, V, 166-167.

<sup>33</sup> *Observations on the Importance of the American Revolution*. . . . The lower half of the title-page of the copy in the Charleston Library is torn off and missing. The pamphlet was apparently written in 1783 or 1784.

The author of this expressed gratification at the successful close of the American revolt, and urged the advisability of preserving peace. To this end he thought firm government necessary, and especially sound policy in finance.<sup>34</sup> Congress, he said, must be trusted with the power of securing supplies for the expenses of the Confederation and the power of contracting debts, and "this power must not be capable of being defeated by the opposition of any minority in the States"; everything depends upon the preservation of a firm political union, "and such a union cannot be preserved without giving all possible weight and energy to the authority of that delegation which constitutes the Union". In conclusion, to drive home his contention, he pictured the consequences to be expected if the policy were not adopted. He lamented the rise of clashing interests,<sup>35</sup> and foreboded that in the absence of any strong central control these would break the union, and in that event the whole work of the Revolution would miscarry, the movement for liberty in all future efforts would be discouraged, and the present epoch would but open a new scene of human degeneracy and wretchedness.

In 1784 the Charleston newspapers from time to time advocated strengthening the Union, on general principles, and in 1785 they regretted New York's veto of the plan to empower Congress to levy import duties. Concrete local developments promoted nationalism especially among the planters. To improve their method of rice culture they were abandoning the earlier system of irrigating their fields from reservoirs of rain-water, and were clearing and embanking great tracts of river swamps which could be flooded and drained at will through the rise and fall of the tide.<sup>36</sup> For this work they needed large supplies of capital on loan and they were embarrassed by its dearth. The financial crisis of 1785 forced the planters, and the merchants also, to face the situation squarely and to realize that the achievement of political independence by the United States had not made South Carolina financially self-sufficient. It made them see that economically their commonwealth was still in a colonial condition, in need of steady backing by some strong financial power. England was no longer available; but they saw that the Northern commercial states could be made a substitute. At the same time it was seen that a political alliance with the Northern conservative interests would partly safeguard the Carolina conservatives from injury in case the radicals should locally get

<sup>34</sup> *Observations on the Importance of the American Revolution*, p. 18.

<sup>35</sup> *Ibid.*, p. 85.

<sup>36</sup> Cf. Mrs. St. Julien Ravenel, *Life and Times of William Lowndes*, pp. 22, 23.

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into control. On the whole in this period the conservatives of the Charleston district appear to have dreaded the rule of their local opponents as the worst of threatening evils, and to have welcomed the restriction of the state's functions in large part because it would reduce the scope of the possible damage to be wrought by the radicals in their midst in case they should capture the state machinery. For a number of years, therefore, most of the leading planters on the coast, and many of the merchants, not only favored the remodelling of the central government as accomplished in 1787-1789, but favored also the exercise of broad powers by Congress under the Constitution.

In the years 1786-1788, even the radicals of the Charleston district largely approved the strengthening of the Union, partly perhaps because they saw that commerce depended upon efficient government, and partly because some of their leaders, notably the brilliant young Charles Pinckney,<sup>27</sup> had ambition for careers in national affairs. The South Carolina delegates in the Federal Convention, all of whom were from the Charleston vicinity, all favored the new Constitution; nearly all of the lowland members of the state legislature in 1788 voted for the call of a state convention with power to ratify it; and in that convention the delegation from Charleston voted solidly *aye* upon the motion to ratify. For the time, therefore, at least upon the question of federal relations, the Charleston factions were largely at peace. Commodore Gillon, for example, in the debate in the House of Representatives found himself an ally of C. C. Pinckney and David Ramsay.<sup>28</sup>

The opposition to the federal plan of 1787 came from the distant interior of the state, but as its chief spokesman found one of the aristocratic conservatives of the coast, in the person of Rawlins Lowndes. The uplanders had had experience within the state of living under a government which, by reason of their having a minority in the legislature, they could not control; and they dreaded a similar arrangement in the federal system. Lowndes, also, was impressed with the prospective danger that a coalition of northern interests might use the federal machinery for the oppression of South Carolina with her peculiar needs; and he pleaded with his fellow slaveholding planters to adopt his view, but without success.

<sup>27</sup> Not to be confused with General Charles Cotesworth Pinckney, who like his brother Thomas was a conservative and a Federalist. To distinguish him from his cousin Charles Cotesworth, Charles Pinckney was nicknamed "Black-guard Charlie" by the conservatives.

<sup>28</sup> J. Elliot, *Debates*, third ("second") ed., IV. 253-317.

Lowndes was not even elected to the state convention. In his absence Patrick Dollard from the interior was the sole spokesman of the opposition to the ordinance. He said:<sup>29</sup>

My constituents are highly alarmed at the large and rapid strides which this new government has taken towards despotism. They say it is big with political mischiefs and pregnant with a greater variety of impending woes to the good people of the Southern States, especially South Carolina, than all the plagues supposed to issue from the box of Pandora. They say it is particularly calculated for the meridian of despotic aristocracy; that it evidently tends to promote the ambitious views of a few able and designing men, and enslave the rest.

The coast delegates were solidly deaf to this declaration, as they had been to Lowndes's arguments, though some of them, patricians and plebeians, were destined after a short experience under the new government to reverse their position and champion the doctrines which they now rejected.

ULRICH B. PHILLIPS.

<sup>29</sup> Elliot, *Debates*, IV. 336-338.

## DOCUMENTS

### *Father Pierre Gibault and the Submission of Post Vincennes, 1778.*

AFTER George Rogers Clark had obtained possession of Kaskaskia and the other French settlements on the Mississippi, in July, 1778, he realized that his position was precarious as long as the British held the posts on the Wabash River, the channel of communication between Canada, Detroit and the Ohio. His company of soldiers was too small to risk a bold advance upon Vincennes, and he was obliged to consider means of securing the village by persuasion. The story of the mission of Father Gibault to Vincennes is well known, and Clark's own narratives are counted among the few classics of the literature of Western history.<sup>1</sup> The documents given below, collected from several archives, and now printed for the first time,<sup>2</sup> supplement those famous narratives. Although they contain information on other matters of interest, this short introduction will be limited to the question of the submission of Vincennes, in July, 1778, because the interpretation of the documents in their relation to that event, offers some difficulties.

Ever since Judge John Law wrote in his *Colonial History of Vincennes* that to Father Gibault "next to Clark and Vigo, the United States are [more] indebted for the accession of the states comprised in what was the original Northwest Territory than to any other man", the honor of securing the submission of Vincennes has been unanimously assigned to the parish priest,<sup>3</sup> while his associate and the part he took in the enterprise have been almost forgotten, and no attempt has ever been made to estimate the value of his services.

Like the historians, the British officers in the West believed, from the first, that the chief instrument in the winning of Vincennes for the Virginians was Father Gibault. Lieutenant-Governor Hamilton of Detroit wrote, on August 8, 1778: "I have no doubt that by this

<sup>1</sup> His letter to George Mason, November 19, 1779, and his *Memoir* of a later date are printed in the appendix to W. H. English, *Conquest of the Country Northwest of the River Ohio*, vol. I.

<sup>2</sup> A translation of a part of Gibault's long letter of June 6, 1786, is printed in Shea's *Life of Archbishop Carroll*, pp. 469-470; see also note to no. II., below.

<sup>3</sup> Winsor, *The Westward Movement*, p. 120, is satisfied with a statement that the submission was obtained by both Father Gibault and Laffont.

time they [the Virginians] are at Vincennes, as, when the Express came away, one Gibault a French priest, had his horse ready to go thither from Cahokia [Kaskaskia] to receive the submission of the inhabitants in the name of the Rebels".<sup>4</sup> On the other hand the first report of Clark to Governor Patrick Henry, which has unfortunately not been preserved, evidently gave credit for the outcome to Father Gibault and Dr. Laffont, for Henry in a letter to Clark, dated December 15, 1778, wrote: "I beg you will present my compliments to Mr Gibault and Doctor Lafong [sic] and thank them for me for their good services to the State".<sup>5</sup>

But this is hearsay testimony. We turn to the statements of those who participated in the act, George Rogers Clark, Father Pierre Gibault and Jean Baptiste Laffont.

The first is a trustworthy witness concerning the conception of the plan and the preparations for putting it into execution; but his knowledge of the occurrences in Vincennes was derived from others and more particularly from the two agents.<sup>6</sup> One weakness in this witness should be noted: he understood no French and was obliged to trust to his interpreter, Jean Girault.<sup>7</sup> The two accounts left us by Clark differ somewhat in details. According to the earlier, the letter to Mason, the conception of the plan was his own. Realizing the weakness of his position, as long as Vincennes was in the possession of the enemy, and the impossibility of securing the place by force, he had recourse to stratagem and pretended to make preparations for an attack, in the hope that the French of Kaskaskia, anxious for their friends and relatives, would offer to win the village by persuasion. In this he was successful, and several Kaskaskians came forward as advocates for Vincennes. Among these was Father Gibault, who told Clark that soldiers were unnecessary for the enterprise and that he would himself go on the mission; but that as his duties were spiritual, someone must be appointed to take charge of the affair. The parish priest assured Clark, however, "that he would give them (the people of Vincennes) such hints in the spiritual way that would be conducive to the business". Dr.

<sup>4</sup> Canadian Archives, B, vol. 122, p. 115. For further testimony of the British officers see J. P. Dunn, in *Transactions of the Ill. Hist. Soc.*, 1905, p. 27; *Am. Cath. Hist. Researches*, V, 52, VIII, 186.

<sup>5</sup> Draper MSS., 48 J 49.

<sup>6</sup> In his *Memoir*, Clark wrote that he sent a spy with the emissaries, so that the report of the agents may have been confirmed by a fourth witness, whose testimony has not been preserved. English, *Conquest of the Country Northwest of the River Ohio*, I, 487.

<sup>7</sup> On Girault, consult *Ill. Hist. Collections*, II, 20, n. 2.

Laffont was appointed the leader of this expedition and received the instructions.<sup>8</sup>

In the other narrative, the *Memoir*, more prominence is given to the parish priest. In the first place Clark does not assume the credit for the conception of the plan. The priest was called into conference relative to taking Vincennes and said that he did not think it worth while to send a military expedition, since he was certain that, when the inhabitants were acquainted with what had occurred in Illinois and with the American cause, they would submit. Gibault then offered to go himself for this purpose. As in the other account, the priest demanded an associate, but according to this narrative he named him, and promised that he would privately direct the whole. Written instructions were given by Clark to Laffont, and verbal instructions to the priest.<sup>9</sup>

The letter to Mason is more authoritative than the *Memoir*; the credit of originating the plan may safely be assigned to Clark. To his two narratives should be added the testimony of the instructions, a copy of which Clark did not have when he wrote his *Memoir*.<sup>10</sup> These were addressed to Laffont, and he was instructed to "act in concert" with Father Gibault, "who, I hope, will prepare the inhabitants to agree to your demands."

The testimony of Father Gibault dates from the year 1786, but it can be shown that the evidence harks back to an earlier date. In a letter of that year, addressed to the bishop of Quebec,<sup>11</sup> he denied having been responsible for the submission of the people of Vincennes. In fact he declared that he had not gone for the purpose of influencing the people, but only to attend to his parochial duties. In a letter of 1783<sup>12</sup> he mentioned his intention of writing in a short time an account of the occurrences of the past few years, and in another of 1788<sup>13</sup> he mentioned the fact of having written such a letter. Unfortunately this letter has not been preserved, except possibly an unimportant paragraph;<sup>14</sup> but it is evident from the context that he wrote of his own acts and made statements similar to those in the letter of 1786, so that it may be taken for granted

<sup>8</sup> English, *Conquest*, I. 419. It is to be noted that the instructions were addressed to Laffont, *post*, p. 549.

<sup>9</sup> English, *Conquest*, I. 487.

<sup>10</sup> *Ibid.* These instructions are printed on pp. 549, 550, *post*.

<sup>11</sup> See *post*, p. 552.

<sup>12</sup> See *post*, p. 551.

<sup>13</sup> See *post*, p. 556.

<sup>14</sup> See *post*, p. 554, n.

that in 1783 he was denying his participation in the submission of Vincennes.

Clark's statement is that the priest offered to go to Vincennes, and went as an emissary of Virginia.<sup>15</sup> That he acted as secretary of the embassy is evident from the fact that he kept some kind of a journal which was handed to Clark on his return.<sup>16</sup> In spite of the success of the expedition Father Gibault was still unwilling to be counted an actor in it, for having learned of the village gossip about his influence in Vincennes, he persuaded Dr. Laffont to write, a few days after their return, a letter to Clark, in which Laffont assumed all responsibility.<sup>17</sup> In less than a month after he started for Vincennes, therefore, he was saying that he had done nothing more than counsel "peace and union and to hinder bloodshed". One act of Father Gibault's contradicts this testimony. When he was expecting that Kaskaskia would be retaken by the British in the early winter of 1778, Clark reports that the priest was in great fear of falling into the hands of Hamilton. If this is a fact, he must have been conscious of having committed an act which the British officers would regard as treasonable.<sup>18</sup>

Our information concerning Laffont is very meagre. He was a native of the West Indies, whence he moved to Florida and later to Kaskaskia. He was living in the latter place in August, 1770, at which date his signature was written on a power of attorney. He was still in the village in 1782, but had moved by 1787 to Vincennes, for his name and those of his sons are found in the census of the village for that year.<sup>19</sup> His whole testimony is contained in his letter to Clark on August 7, 1778.<sup>20</sup> From this we learn that Father Gibault accompanied him, acted as secretary, and made a report to Clark. He did not, however, interfere in the temporal

<sup>15</sup> *Ante*, pp. 545, 546, and Clark's letter of instructions, *post*, p. 549.

<sup>16</sup> Laffont's letter, *post*, p. 550.

<sup>17</sup> *Ibid.*, a comparison of the handwriting of this letter with other specimens of Laffont's handwriting leaves no doubt about its authenticity.

<sup>18</sup> English, *Conquest*, I, 432.

<sup>19</sup> *Kaskaskia MSS.*, court house of county of Randolph, Illinois; Papers of the Continental Congress, "Illinois, Kaskaskia and Kentucky", vol. 48, p. 167; Draper MSS., 18 J 79. This last is a letter to Dr. Draper, dated 1848, from the executor of the estate of Dr. Laffont's son. The letter states that Laffont moved to Ste. Genevieve, where he died about August, 1779, at the age of forty. From the records of Kaskaskia, this date is proved to be wrong. The identity of the Jean Bte. Laffont of the Vincennes census is strengthened by the following facts. He is forty-eight years old and has two sons with the same names as those given in the letter to Dr. Draper. I suspect that the date of his death at Ste. Genevieve should be 1799.

<sup>20</sup> *Post*, pp. 550, 551.

affairs of the embassy, except to counsel peace. Laffont claimed for himself the sole responsibility of the undertaking. The Oath administered to the people of Vincennes offers some further evidence.<sup>21</sup> This illiterate French could never have been written by the priest, whereas it may have been the work of Laffont, although his letter is written in better French.

By an analysis of the above sources the following explanation of the event can be made. Two pieces of testimony are of questionable value, the *Memoir* of Clark, and the letter of Father Gibault to the Bishop of Quebec. The first was written several years after the submission of Vincennes, at a time when Clark's mind had already become clouded by his intemperate habits. He confessed also that he could not find the instructions to Laffont, and from his statements it is probable that he did not have Laffont's letter to him.<sup>22</sup> Father Gibault's emphatic denial of participation in the submission of Vincennes may be dismissed, because it was made to the Canadian bishop whose prejudices he wished to remove. If he was to re-enter the service of the Church in Canada, he was obliged to deny the grave charge of treachery which had been made against him by British officers.

There remain Clark's letter to Mason, written a year and a half after the event, his letter of instructions, and Laffont's letter, the last two being contemporary documents. These are not contradictory. The plan originated in Clark's mind; Father Gibault offered to go but refused to take the responsibility; Jean Baptiste Laffont was appointed as the leader, managed affairs openly in Vincennes, and claimed the honor of the success; Father Gibault evidently preached peace and union to the citizens, probably used his personal influence to promote the enterprise, and on his return made a written report to Clark, but denied that he was responsible for the submission of Vincennes.

The action of Father Gibault, taken in connection with other information concerning him, throws some light on his character. The impression made on the mind of Clark by the personality of

<sup>21</sup> *Post*, p. 550.

<sup>22</sup> There must remain some doubt as to whether the letter was ever delivered to Clark. Father Gibault may have been satisfied to have it in his possession for future use. I have considered the possibility of the letter being written in 1786, when both the priest and Laffont were in Vincennes, but have dismissed this supposition, for it would not have suited Father Gibault's purpose to have the journal, which he kept, mentioned. He assured the Bishop that he went simply to fulfill his priestly duties at Vincennes. The first sentence of the letter disproves this.

the priest was that of timidity. Although Clark's description of the fear into which the people of Kaskaskia were thrown by the appearance of his band on the night of July 4 and 5, 1778, may be discounted,<sup>23</sup> still it is interesting that in that picture of terror the central figure was Father Gibault.<sup>24</sup> Clark assures us that when he was expecting an attack on Kaskaskia during the winter of 1778-1779, "The priest of all men (was) the most afraid of Mr. Hamilton. He was in the greatest consternation, but determined to act agreeable to my instruction".<sup>25</sup> On account of this timidity, Clark found an excuse to send him to the Spanish bank for security. His action in the mission to Vincennes seems to bear out these impressions. He was ready to use his influence with the people, but preferred to throw the responsibility on another, so that, if the issue should be different from what was anticipated, he would still be able to use the argument to the British authorities, which we find he actually put forward in 1786.

CLARENCE WALWORTH ALVORD.

I. GEORGE ROGERS CLARK TO JEAN BAPTISTE LAFFONT.<sup>1</sup>

FORT CLARK ce 14<sup>e</sup> Juillet 1778

Monsieur

Ayant asse de bonheur pour Trouver deux hommes Comme M<sup>r</sup> Gibault et Vous pour Porter et Presenter a Messieurs les Habitants du Poste Vincennes mon Adresse, Je ne Doubte point qu'ils deviendrons bon Citoyens et Amis des Etats. Il vous plaira de les desabuser autant que faire ce Poura, et en cas qu'ils accepte les Propositions á eux faite, vous les assurerez que l'on aura propre attention a rendre leurs Commerce Beneficieux et avantageux, mais en cas que ses gens la, ne veulent Acceder a des Offres sy raisonable que celles que Je leurs fais, Ils peuvent s'attendre á sentir les Miseres d'une Genre [Guerre] sous la Direction de L'humanite qui a Jusqu'a Present distinguée les Ameriquains, s'ils deviennent Citoyens, vous leurs ferés Elire un Commandant d'entre eux, lever une Compagnie, Prendre Possession du Fort et des Munitions du Roy, et defendre les Habitants, Jusqu'a ce que l'on puise y envoyer une plus grande force (mon Adresse<sup>2</sup> Servira de Commision). les Habitants fournirons les Vives pour la Garnison qui seront Payé, les Habitants et Negoçians Traiterons avec les Sauvages comme de Coutume, mais il faut que leurs

<sup>23</sup> See introduction to *Ill. Hist. Collections*, vol. II.

<sup>24</sup> English, *Conquest*, I. 479.

<sup>25</sup> *Ibid.*, 432.

<sup>1</sup> Wis. Hist. Soc., Draper MSS., 18 J 80. L. S. This letter was sent in 1848, by the executor of the estate of Antoine, son of J. Bte. Laffont, to Dr. Lyman C. Draper. This copy was supplied through the kindness of Dr. Reuben G. Thwaites, of the Wisconsin State Historical Society.

<sup>2</sup> Clark's address or proclamation to the inhabitants of Vincennes is printed in the *Transactions of the Illinois State Historical Society*, 1907, pp. 271-274.

influence tende a la Paix, comme par leurs Influence ils Pourons sauvé bien du Sang Innocent des deux Cotés, vous agires en Concert avec M<sup>r</sup> Le Curé qui J'espere preparera les Habitant à vous accorder vos demandes.

S'il est necessaire de donner des Parroles au Sauvages vous aurés la Bonté de fournir ce qui sera necessaire pourvou que ce n'excede point la Somme de deux Cent piastres,

Je Suis avec Consideration  
Votre Tres Hble et  
Tres Ob.<sup>t</sup> Serv.<sup>t</sup>

Monsieur

G. R. CLARK

[Addressed:] Monsieur Monsieur Jean B<sup>r</sup> Laffont Ngt aux Kaskaskias  
[Endorsed:] une Lettre Ecrit par monsieur Chargue [Clark].

## II. OATH OF VINCENNES, JULY 20, 1778.<sup>3</sup>

Vous faite Serment Sur Les ste Evengille du dieux toute puisent<sup>t</sup> de renoncé a toute fidelité a gorge troy<sup>6</sup> de La grande Bretagne Et Ses successeurs Et d'aitre fidelle et vraie Seujais de La Republique de Le Virginie comme un Etat Libre Et Independent et que Jamais Je Ne Feray ni ne ferais faire auqunne Shousse<sup>6</sup> ou matiere qui puisse prejudisable a La Liberté ou Javertiray a quelqueuns des Juges de pay dudit Etat de toute trayzons ou conspirations qui viendras a ma connoissance contre La dit Etat ou quelqautre des Etat Unis de Lamerique En foy de qoy nous avons Signné au poste Vincenne Le 20<sup>me</sup> Juillet 1778.

## III. LAFFONT TO CLARK, AUGUST 7, 1778.<sup>7</sup>

*A Monsieur le colonel George Roger Clark, present.*

Je ne puis Monsieur qu'approuver ce que Monsieur Gibeaut a dit dans le contenu du journal s'il a obmit quelque verite historiques qui auroient ete dignes d'etre racomptes. Ce qu'il a dit et la verite peure,

<sup>3</sup>K. MSS., Circuit Clerk's Office, Chester, Ill. Written on several sheets of paper, fastened by wafers, and signed by one hundred and eighty-two inhabitants of Vincennes. This was published with signatures in the *Transactions of the Illinois State Historical Society*, 1907, p. 274.

<sup>6</sup>Du Dieu tout-puissant.

<sup>6</sup>George III.

<sup>6</sup>Chose.

<sup>7</sup>Archives of the Archbishoppal Palace of Quebec. A. L. S. This and the following letters from the same source were supplied through the kindness of Abbé Lindsay, secretary to the Archbishop. The above letter was enclosed by Father Gibault in one of his own. See *post*, p. 554. A photograph was sent to me and I have compared it with other writings of Laffont and have found it genuine. Since the interpretation is difficult and the letter is important, a translation is herewith joined.

"I cannot but approve that which M. Gibault said in the contents of his journal. [Even] if he did omit some historical truths which might have been worthy of narration, that which he said is pure truth. All that he has begged me to add and which he will tell to you, and has asked me to be present (and which he forgot) is that in all the civil affairs, not only with the French but with savages, he meddled with nothing, because he was not ordered to do so and it was opposed to his vocation; and that I alone had the direction of the affair, he having confined himself, towards both [nations], solely to exhortation tending towards

tout ce qu'il m'a prie d'ajouter et qu'il vous dira a vous meme et m'a prie d'etre present. qu'il a Oublie et que dans tous les afferre civiles tant avec les françois qu'avec les Sauvages, il ne s'est mele de rien n'en ayant point d'ordre et cela etant contre son caractere et que j'en ay eu seul la direction luy meme s'en etant tenu envers les uns et les autres a la seule exhortation tendante a la paix et a l'union et a empêcher l'effusion du sang ainsi Monsieur pour le temporel dont je suis charge entierement j'espere en avoir toute la satisfaction possible, m'etant comporte en tout avec une integrite infolable. mon zelle et ma sincerite me persuade que vous aure la bonte Monsieur d'accepter les vœux que j'ay l'honneur de faire pour votre personne et de me croire avec un respectueux atachemens,

Monsieur,

Votre tres humble et tres obeiscent serviteur

LAFFONT.

Kaskaskias

le 7<sup>e</sup> aout 1778.

IV. FATHER PIERRE GIBALT TO THE BISHOP OF QUEBEC, APRIL 1, 1783.\*

*Monseigneur,*

Je n'ay une demie-heure pour profiter de l'occasion de Mr Ducharme. Je ne puis dans ce court interval marquer à Votre Grandeur sinon que je suis toujours le même pour le salut des peuples, excepté que l'age et les fatigues ne me permettront plus de faire ce que je desirois comme autrefois. Le R. pere Bernard, capucin, dessert les Kaskaskias conjointement avec St. Louis où il demeure, ce qui me soulage du plus éloigné village que j'aye a desservir. Les Illinois sont plus malheureux qu'ils n'ont jamais été. Apres avoir été ruinés et épuisés par les Virginiens, laissés sans commandant, sans troupes et sans justice, ils se gouvernent eux-memes par fantaisie et caprice, ou pour mieux dire par la loy du plus fort. Nous attendons cependant en peu de tems des troupes avec un commandant et une justice réglée. J'espère faire un detail le mieu qu'il me sera possible à Votre Grandeur par Mr Dubuc qui reste encore quelque tems, de tout ce qui s'est passé depuis quatre ou cinq ans. J'espère aussi de votre charité paternel que vous ne me laisserez pas non plus sans consolation. J'en plus besoin que jamais quoy que j'aye pris pour principe de faire tout ce que je fais comme je le ferais en presence de mon Evêque, et que par conséquent vous êtes toujours présent à mes yeux et à mon esprit, il me seroit bien doux de recevoir vos instructions. En attendant ce bonheur je suis avec tout le respect, la soumission et l'obéissance la plus parfaite

Votre tres humble serviteur,

P. GIBALT, Pretre.

A Ste Genevieve

Le 1er avril 1783

peace and union and to the prevention of bloodshed; and so, Sir, for the temporal affairs with which I am wholly entrusted, I hope to have all the satisfaction possible, for I acted in all things with an irreproachable integrity. My zeal and my sincerity persuade me that you will have, Sir, the kindness to accept the good wishes which I have the honor to make to you, and believe me, with a most respectful regard", etc.

\* Archives of the Archiepiscopal Palace, Quebec. A. L. S.

V. FATHER GIBALT TO THE BISHOP, JUNE 6, 1786.<sup>9</sup>

... Oui, M., je me suis toujours appliqué à remplir tous les devoirs du St ministère, je fais encore tout ce que je peux à présent pour les remplir et avec la grâce de Dieu je m'efforcerai de les remplir encore mieux pour l'avenir. Je prends assez de confiance en Notre Seigneur Jesus Christ pour espérer bannir en peu de tems la barbarie du poste Vincennes dont les habitans et sur tous la jeunesse n'avoient eu aucun principe de religion pendant 23 ans que quand j'y suis passé dans mes missions fort courtes ainsi que Mr Payet, étant élevés comme les sauvages au milieu desquels ils vivent. Je leur ay fait et je leur fais le catechisme deux fois par jour, après la messe et le soir avant le soleil couché. Après chaque catéchisme, je renvoie les filles et je fais dire les réponses de la messe et les cérémonies de l'église pour les festes et dimanches aux garçons. Je m'applique à prêcher les festes et dimanches le plus souvent qu'il m'est possible, en un mot, il y a un an et demi que je suis ici, et quand j'y suis arrivé je n'ay trouvé personne ny grand ny petit pour servir la messe qu'un vieil européen qui ne pouvoit pas toujours venir et alors point de messe. Deux mois après j'en avois plusieurs, et à présent jusqu'aux plus petits du village non seulement savent servir la messe mais les cérémonies des festes et dimans et tout le catechisme petit et grand. Je serois assez content du peuple pour le spirituel si ce n'étoit cette malheureuse traite d'eau de vie que je ne puis venir a bout de déraciner, ce qui m'oblige d'en éloigner plusieurs des sacremens, car les sauvages font des désordres horribles dans leur boisson surtout dans ces nations cy. Nous sommes abandonnés à nous mêmes; point de justice, ou au moins point d'autorité pour la faire rendre. Mr. Le Gras et quelqu'un des principaux marchands et habitans font tout ce qui dépend d'eux pour tenir le bon ordre et réussissent passablement. Je n'aurois pas réussi à faire faire une église en ce poste si les habitans des Kahokias ne m'avoient envoyé un courrier avec une requête de toute la paroisse pour les desservir en m'offrant de forts grands avantages; les habitans du poste Vincennes craignant avec raison que je les abandonnasse ont résolu unanimement de faire une église de 90 pieds de long sur 42 de large sur solles et en colomage, dont une partie du bois est déjà tiré et quelque toises de pierre pour le sollage, elle n'aura que dix-sept pieds de poteaux, mais les vents sont si impétueux dans ces pays que c'est encore bien haut pour la solidité. La maison qui sert maintenant d'église me servira de presbytère, ou je crois entrer dans quelques mois. Le terrain est vaste, bien sec, et au milieu du village; c'est moy-même avec les marguilliers qui avons acquis ce terrain il y a seize ans. Je vous prie d'approuver cette batisse d'une nouvelle église sous le titre de St François Xavier sur Oubache, et de m'en faire un commendement de la poursuivre et de l'orner autant que la pauvreté des habitans le permettra. Je ferai bien mon possible pour y engager les marchands qui viennent de toute par commercer dans ce poste, mais un mot d'exhortation de votre part feroit plus de loin que moy de proche; je vous prie de nous accorder cette grace.

Joignez donc présentement toutes les peines et les misères que j'ay

<sup>9</sup> Archives of the Archiepiscopal Palace, Quebec. A. L. S. One paragraph at the beginning has been omitted. The ecclesiastical authorities at Quebec preferred that it should not be printed; and Abbé Lindsay assures me that it contains nothing of importance for the historian.

souffertes dans les différens voyages que j'ay faits dans les endroits éloignés hyvers et été. Desservir tant de villages si éloignés et si éloignés aux Illinois beau temps ou mauvais, jour ou nuit, neige ou pluie, vent ou tempête ou brume sur le Mississippi jusqu'à ne pouvoir coucher quatre nuits dans mon lit pendant un an, ne jamais différer de partir dans le moment même, moy-même ne portant mal, comment un prêtre qui se sacrifie de la sorte sans aucune autre vue que la gloire de Dieu et le salut du prochain, sans aucun lucre, presque toujours mal nourri, ne pouvant vaquer au spirituel et au temporel, comment, dis-je, connoître ce prêtre zélé pour remplir les devoirs de son St ministère, soigneux de veiller sur son troupeau de l'instruire des points les plus importants de la religion, instruire la jeunesse sans cesse et sans relache non seulement de la doctrine chrétienne mais encore montrer à lire et écrire aux garçons, d'avec ce prêtre qui donne du scandale, qui est adonné à l'ivrognerie? Cecy me passe et implique contradiction. Un prêtre adonné à la mollesse ne se donne point tant de peine, ne s'importune point d'une bande d'enfants pour l'importuner, ne s'expose point à tant de dangers soit des sauvages, soit des eaux, soit des mauvais tems, ne sacrifie point tout ce qu'il peut gagner à construire des églises, faire faire des rétables et de tabernacles de mil écu sans conter le reste à ses frais et depens. Si cecy n'est pas une marque du contraire je ne scais ou en prendre d'autres. Si vous ne m'en croyez pas à mes paroles croyez en à mes oeuvres, tout est subsistant.

Pour ce qui est de ces veillées qu'on vous a dit que je prolongeois jusqu'à 3 et 4 heures du matin, j'ay été quelques fois aux noces, mais je n'ay jamais passé 9 heures ou 9 heures et demi. La raison en est visible: il faut que la jeunesse danse, et jamais je n'ay vue oter la table.

On vous a dit que j'étois décrépît et caduc; autre fausseté. Je me porte aussi bien que je n'ay jamais fait. Je suis capable de faire les mêmes voyages que j'ay faits, je n'ay aucune douleur et n'en ai jamais eu, pas même eu une seule fois mal aux dents. Peut-être a-t-on cru que parceque je ne vas plus à la chasse et à la pêche comme je le faisois autrefois, c'étoit la vieillesse lui en étoit la cause, mais c'est mon gout qui est changé. Et en effet, m'étant dévoué tout entier à l'instruction de la jeunesse, à la reforme des moeurs et mauvaises habitudes d'un grand village presque barbare, les voyageurs et commerçans qui abondant icy de toutes les parties de l'Amerique, les autres exercices journaliers du ministère ne permettoient-ils de faire ce que j'ay fait autrefois? Voila la source de ma conduite. Pour le mal des yeux il a été ici général, s'il étoit à la suite de l'excès de la boisson, les plus petits enfans n'en auroient point été atteints même plus que les grandes personnes. Après tout, ce mal m'a été que de très petite durée et ne m'a incommodé que peu de jours. Dieu préserve ceux de mon âge de ne pas plus se servir de lunettes que moy, sur tous après tant de mille lieues à dire mon bréviaire à la clarté du feu le soir et la nuit et souvent dans la fumée et à l'ardeur du soleil dans le jour. En verité Dieu m'a bien conservé. Je vois aussi bien que jamais, et je ne croyois pas pour 15 jours le mal aux yeux mériter le nom d'aveugle.

Pour ce qui est du Commandant de Ste Genevieve pour ses polliconeries, il n'y en a point de pareil au monde, en même tems vous n'en trouverez peut-être point non plus de pareils pour toutes sortes de bonnes qualités. Il a été dix ans Commandant ici, aucun n'a eu un seul

reproche à lui faire. Juste sans partialité ny acception de personne, point de compere ny commerce, désintéressé au dernier point, solitaire chez lui, plein de religion luy même et mettant toute son autorité à la faire observer rigoureusement, jeunant tous les mercredi de chaque semaine et gardant ce jour là l'abstinence independamment des autres jours, très charitable, disant le Breviaire exactement tous les jours, ayant bien étudié, et parlant bon latin, après cela que faire quand il policonne, se taire, c'est tout, pour l'éviter il n'est pas possible, ny le Gouverneur ny sa Dame ne sont pas plus épargnés que qui que ce soit hors le tems des affaires sérieuses. Vous connoissez mal la nation espagnole. tout est despotisme pour eux. Si vous n'allez pas à leur invitation ils envoient une ordonnance vous dire que le bien ou l'intérêt de Sa Majesté vous demande dans le moment au gouvernement. que faire? il faut s'en retirer comme j'ay fait, malgré les avantages que j'avois de la Part du Roy dont je conserve les papiers, et ou j'avois de beaux appointemens en qualité de missionnaire à Ste Genevieve.<sup>19</sup>

Pour ce qui est des habitans du poste Vincennes qu'on a dit en Canada que j'avois induits dans le parjure, peut-être les habitans mêmes pour se tirer d'affaire avec le gouverneur Henri Amilton, ont-ils mis tout sur mon compte, peut-être luy même et les officiers ont-ils pris le pretexte qu'un peuple si ignorant n'avoit pu se laisser gagner que par moy, et de cette supposition leur pardonner leur faute en la faisant rejaillir toute entière sur moy. La verité est que n'ayant point été au poste Vincennes depuis longtems trouvant une occasion favorable d'y aller avec Mr Laffont qui étoit bien accompagné, j'en profitay pour faire ma mission. Si je m'étois mêlé dans une affaire de cette importance, on auroit vu mon seing quelque part, on donneroit quelque autre preuve que celles cy *on dit, on nous a rapporté*, et d'autres semblables. Et moy j'ay eu le bonheur de retirer une attestation de Mr Laffont même aussitôt notre retour aux Illinois, sur quelques railleries qu'on me faisoit à ce sujet. Je vous l'envoie cette attestation écrite et signée de sa propre main en original, n'en gardant moy même qu'une copie crainte de me rendre suspecte. Vous jugerez plus surement sur des écrits que sur des paroles en l'air.

Mais il est tems de conclure. Et que conclurez-vous de tout ce que j'ay pu vous dire? il vous est presque impossible d'y pénétrer la vérité. On vous a dit d'une façon, je vous dis presque le contraire. Vous ne connoissez ny ces pays ny les moeurs et vices de ceux qui les habitent. En Canada tout est civilisé, ici tout est barbare; vous êtes au milieu de la justice, ici l'injustice domine, aucune distinction du premier au dernier que par la force, par une langue pernicieuse calomniatrice et médisante et criant bien fort et exalant toutes sortes d'injures et de juremens. Tout le monde est dans la pauvreté qui engendre le vol et la rapine. Le libertinage et l'ivrognerie passent ici pour gentillesse et divertissement à la mode. Les fractures des membres, l'assassinat à coup de couteau, sabre ou épée (car en porte qui veut) les pistolets et les fusils sont des joujoux pour ces endroits-cy. Et qu'a-ton à craindre que le plus fort? mais on sera le plus traître.

<sup>19</sup> It is evident that this paragraph does not belong in this letter. It must have been written at Ste. Genevieve. Father Gibault mentioned in the previous letter written at that place, *ante*, p. 551, his intention of writing a long letter soon, and in his letter of 1788, *post*, pp. 556, 557, he mentions three letters. It is probable that that letter has been lost—at least it can not be found—and that the sheet containing this paragraph of the letter has been inserted here.

Point de commandant, point de troupe, point de prison, point de bureau; toujours dans les petits endroits un tas de parents ou d'alliés qui se soutiennent tous, en un mot l'impunité antière, malheur aux étrangers. Je pourrais vous nommer un grand nombre de personne assassinées dans tous les villages de ces contrées, françois, anglois et espagnols sans aucunes autre suites, mais je me contente de vous en indiquer deux dernièrement assassinées, Mr. Guyon le jeune qui a étudié a Montréal a tué son beau père d'un coup de fusil aux Kas, et hier au soir ici un nommé Bellerose en a tué un autre a coup de couteau. Dans un mois j'ay bien peur d'en compter dix. Tout le reste est de même et encore pire pour le spirituel. Les festes les plus solennelles et les dimanches sont des jours destinés au bal et a l'ivrognerie, par consequent aux querelles et aux batailles. Les ménages brouillés, les pères et mères en discorde avec leurs enfants, des filles subornées et enlevées dans les bois, mil autres désordres que vous pouvez inferer de ceux cy, peuvent-ils souffrir un prêtre qui n'épargne rien pour leur mettre leurs fautes dans tout leu jour devant les yeux, les en reprendre avec vigoureux en particulier et en public sans se venger au moins par leur langue de la geine ou il les reduit et de la honte ou ils sont exposés, car souvent ils se croient bien cachés. De la ils le calomnient en toute façon, le traitent comme ils veulent sans rien craindre. Les bêtises qu'un seul piqué au vif peut dire s'augmentent dans un autre, augmentent encore plus dans les voyages, et de village en village, enfin voila un monstre a étouffer. Concluez ce qu'il vous plaira, pour moy voici ma conclusion.

Je vais me retirer dans mon presbytère d'abord qu'il sera fini, avec mon bedeau et un garçon; alors Dieu veuille que les calomnies cessent au loin, mais j'en doute. La religion est trop persécutée icy pour ne pas tacher d'accabler ceux qui la soutiennent. Je vous prie en même tems de considerer que je suis seul, abandonné a moy même; et quoique que j'aye beaucoup de bons livres, comme Pontas, Lamet et Fromageau, Ste Beauve, les conférences d'Anger, la conduite des âmes, la conduite des confesseurs, le dictionnaire des conciles, le dictionnaire théologique, Collet, toute l'histoire ecclésiastique, quantité de sermonnaires et beaucoup d'autres livres,<sup>11</sup> malgré cela je me trouve souvent embarrassé dans plusieurs cas particuliers dans ces endroits. Comme par exemple presque tous les barbares de toutes les nations, étant en guerre aussi bien avec les Royalistes qu'avec les Ameriquains et les tuant et pillant journellement, est-il permis aux françois et aux Espa-

<sup>11</sup> The books referred to are doubtless the following: Jean Pontas, *Dictionnaire des Cas de Conscience*, 2 vols. (Paris, 1715, 1724, 1728), with the two volumes of continuation by Lamet and Fromageau, *Supplément au Dictionnaire des Cas de Conscience* (Paris, 1733); Jacques Sainte-Beuve, *Résolutions de plusieurs Cas de Conscience*, 3 vols. (Paris, 1689-1704, 1705-1715); *Conférences Ecclésiastiques du Diocèse d'Angers*, 24 vols. (Paris, 1775-1778); Roger François Daon, *Conduite des Ames dans la Voie du Salut* (Paris, 1750, 1753); *id.*, *Conduite des Confesseurs dans le Tribunal de la Pénitence, selon les Instructions de Saint Charles Borromée et la Doctrine de Saint François de Sales* (Paris, 1738, 1740 . . . 1773, many editions); Pons-Augustin Alletz, *Dictionnaire Portatif des Conciles* (Paris, 1758, 1764); *id.*, *Dictionnaire Théologique Portatif* (Paris, 1756, 1767, etc.); Pierre Collet, *Institutiones Theologicae*, 3 and 5 vols. (Paris, 1744-1745, 1747-1748, . . . 1775); and the Abbé Claude Fleury's *Histoire Ecclésiastique*, 20 vols. (Paris, 1691-1720, and many subsequent editions), with perhaps the continuation by Fabre. Ed.

gnols qui sont en paix avec les uns et les autres d'acheter de ces barbares leurs dépouilles qu'ils retirent à bon marché, et quelle conduite tenir dans le for de la conscience? Les sauvages ne vendant leur viande, leur huile, leur suif que pour l'eau de vie que les Espagnols et les anglois ne font aucune difficulté de leur donner, comment feront les françois pour en avoir? Ces commerçans surtout ne voulant en vendre que pour de la peleterie que ce pauvre père de famille n'a point et par la se voit réduit a manger du mais a l'eau pure dans tous ses travaux.

Encore une autre affaire qui demande une attention de votre part à me donner une décision claire et précise, est que le pere Ferdinand Formar<sup>12</sup> vicaire général a philadelphie de l'évêque élu des provinces unies de l'Amerique, m'écrit de la part de cet évêque Mr Carrol de publier un jubilé pour tous les fidels catholiques de l'Amerique qui a été retardé par les guerres. J'ay reçu ce mandement l'hiver dernier, je n'en ai seulement pas parlé et je n'en parleray point qu'après vos ordres. Je trouve singulier que l'adresse de ma lettre soit à Monsr Gibault grand vicaire de Monseigneur l'évêque de Quebec, et que reçoive inclus un mandement d'un autre évêque. Je recevrais plus volontiers une interdiction de mon évêque que des honneurs d'un autre, ainsi n'ayant aucune certitude de la distraction de cette partie du diocèse de Québec, je ne puis suivre que vos ordres.

Un Carme déchaussé, allemand, âgé de 34 ans, ayant ses lettres de prêtrise, un certificat du colonel du régiment dans lequel il servit d'aumonier jusqu'à la paix, des lettres de Grand vicaire pour desservir les bords du Mississippi sans mention d'un seul nom marqué, se faisant nomer l'abbé de St Pierre,<sup>13</sup> est venu il y a un an ici de la part de Mr Carrol évêque élu de l'Amerique duquel émanent ses lettres. Je n'ai osé luy rien dire sans vos ordres et je ne vous en ay pas parlé plutot, me disant qu'il s'en retournoit en France par la Nouvelle Orleans, cependant il est encore aux Illinois. Il m'a paru bien zélé mais d'un zèle bien emporté pour ces pays sans justice. Ainsi vous ordonnerez tout ce que vous jugerez a propos dans ces conjonctures. Je vous supplie de me recommander à Dieu dans vos SS. sacrifices vous souvenant des freres absens et de me croire avec respect et antiere obéissance,

Votre très humble, très obéissant soumis serviteur

F. GIBAULT, Prêtre.

Au poste Vincennes

le 6e juin 1786

VI. FATHER GIBAULT TO THE BISHOP, MAY 22, 1788.<sup>14</sup>

*Monseigneur,*

Il paroît par votre silence que vous avez oublié jusqu'à une réponse sur des articles où je devois necessairement être embarrassé et dont l'eclaircissement de votre part ne pouvoit souffrir un si long delai. L'état malheureux où vous me supposiez il y a deux ou trois ans auroit dû vous donner assez de compassion pour ne pas oublier entièrement un prêtre qui n'a cessez un seul moment de la vie de sacrifier non seulement ses aises et son repos, mais d'exposer sa propre vie à la fureur des Barbares pour remplir son ministère dans les mêmes vues et

<sup>12</sup> Father Ferdinand Farmer (Steynmeyer), S. J., a priest serving many years in New Jersey, Pennsylvania and New York, died August 17 of this year.

<sup>13</sup> See *Ill. Hist. Collections*, II, 630, n. 78.

<sup>14</sup> Archives of the Archiepiscopal Palace, Quebec. A. L. S.

avec les mêmes intentions qu'il en avoit fait le sacrifice entre les mains de son Evêque. Je n'aurois cependant pas dû m'attendre à cette oublie, puisque j'ay oté sans peine ce qui pouvoit donner des soupçons, quoiqu'injuste, sur ma façon de vivre. Il y a plus d'un an que non seulement je n'ay point de boisson chez moy mais je n'en bois pas même un coup, n'y vin n'y eau de vie, je n'y pense point, ce n'est point vœux, ce n'est point non plus un sacrifice, car quoiqu'on ait pu vous rapporter, je n'ay jamais eu d'attache à aucune boisson, qu'une certaine mode de boire un coup d'eau de vie en voyageur, ny pensant seulement pas quand je n'en avois pas. Il falloit donc que ceux qui vous ont rapporté des abominations aussi affreuses que celles dont vous me parlé dans votre dernière lettre ayent été poussé par le pere du mensonge, ou que je les eusse repris trop fortement sur leurs vices et mauvaise conduite, car je ne vois point d'autres causes de leur calomnie. Il seroit inutile de vous repeter ce que je vous ay dit si au long dans ma dernière, il vaudroit bien mieux que je fusse sous vos yeux que d'être si éloigné. Je vous prie donc en conséquence de considérer que voila vingt ans passé que je dessers ces contrees, sans arrêts, sans pour ainsi dire sans demeure fixe, presque toujours en voyage, dans toutes les saisons de l'année, toujours exposé à être massacré par les Barbares comme une infinité de personnes l'ont été dans les mêmes routes, et même dernièrement le Sr Paul Desruisseaux que vous devez avoir connu à Quebec tué et le Sr Bonvouloir blessé si près de moy que j'étois tout couvert de leur sang: mon age de cinquante un ans accompli, le besoin que j'ay d'être plus recueilli, apres tant de dissipations qu'entraînent presque-inevitablement tant de voyages et de si longs cours, la repugnance que j'ay à servir sous un autre évêque soit en Espagne ou en Amérique republicaine, et mille autres raisons, tout cela, dis-je, bien considéré, j'espère de votre bonté mon rapel, que je vous demande instamment et à genoux et je crois suivre en cela la volonté de Dieu qui me l'inspire pour mon salut. Et pour l'opposition ou la crainte que j'aye été ou que je fusse porté pour le République américaine, vous n'avez qu'a relire ma première lettre ou je vous rends compte de notre prise et ma dernière ou je vous envoie un certificat de ma conduite au poste Vincennes, dans la prise duquel on disoit que j'avois trempé, et vous verrez que non seulement je ne me suis mêlé de rien, mais au contraire j'ay toujours regretté et regrette encore tous les jours les douceurs du Gouvernement Britannique. Pour les secours spirituels des peuples de ces pays je peux vous assurer qu'ils n'en manqueront encore moins qu'autrefois puisqu'ils ont un prêtre aux Kaskaskias,<sup>18</sup> un autre aux Kahokias et qu'ils ne seroient pas longtems sans en avoir un au poste de Vincennes si j'en sortois, etant le poste favori du Congres.

Ainsi, Monseigneur, tout conspire à me faire espérer mon rapel et le plutot sera le meilleur, car le tems qui sépare l'effet des desirs est toujours très long. Je l'espère ardemment et je sacrifieray le reste de mes jours à vous en témoigner ma reconnaissance. C'est dans cette espérance que j'ay l'honneur d'être, Monseigneur, De Votre Grandeur,

Le tres humble, tres obéissant et tres soumis serviteur,

P. GIBAULT, Prêtre.

Au poste Vincennes

Le 22e may 1788.

<sup>18</sup> Father de la Valinière. There is an account of him in *Ill. Hist. Collections*, II., introduction, p. cxxxi ff.

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## REVIEWS OF BOOKS

### BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

*Studies in English Official Historical Documents.* By HUBERT HALL, F.S.A., of H. M. Public Record Office. (Cambridge: University Press. 1908. Pp. xv, 404.)

*A Formula Book of English Official Historical Documents.* Part I., Diplomatic Documents. Edited by HUBERT HALL, F.S.A., of H. M. Public Record Office. (Cambridge: University Press. 1908. Pp. xvi, 170.)

It is generally recognized that with respect to the science of archives and the study of diplomatics the British Isles are far behind such countries as France and Germany. The central archives of England are, in spite of the mass of materials in private hands, fuller and richer than those of any other European country, and large sums have been spent in publishing or calendaring selected sets of documents; yet historical research is continually hampered by the absence of such tools as the French student possesses in the official *Inventaires* and in the comprehensive manuals of Langlois and Stein, while for the local archives a beginning of systematic effort has still to be made. In the field of diplomatics "English scholarship has toiled painfully in the wake of foreign science", and while some work of excellent quality has recently been done, great tracts of territory lie unexplored, and the English language can show no parallels to the manuals of Giry and Paoli and the German handbooks of diplomatics. Into this borderland between the domain of the historian and that of the archivist Mr. Hubert Hall has now ventured. As an official of the Public Record Office he has seen the problems of the scores of British and foreign investigators who have come to him for counsel and guidance, and as a lecturer at the London School of Economics he has given systematic instruction in palaeography and diplomatics and organized the efforts of his students in co-operative enterprises of permanent value. The results of this experience he here seeks to make available in a volume on English official documents of an historical character, considered under the three aspects of archives, diplomatics, and palaeography. As is inevitable in so vast and so little cultivated a field, the book disclaims anything like completeness or finality—its author even calls it a "collection of desultory studies"—but it covers a wide range of topics compactly and from the sources, and is everywhere suggestive and full of meat. Some topics are dismissed too briefly and some not touched—we miss,

for example, an account of medieval formularies and a discussion of the early history of the practice of enrollment—but there is much pioneer work, and a book of this sort should be welcomed for what it does contain rather than criticized for what it does not.

The first part treats of the history, classification, and analysis of English archives, and is accompanied by a number of valuable appendices illustrating various phases of the subject. The author pleads throughout for a structural and analytic classification of public records instead of the more or less accidental system which has come to prevail, and he insists that each historical problem be approached by seeking to determine first of all what materials once existed for its study and what were their relations. His emphasis upon the importance of viewing the sources as a whole and taking account even of those which have disappeared will come as a surprise to those to whom historical investigation means simply an unreflecting search through catalogues and calendars. Dilettante methods of study are also responsible for the neglect of whole classes of material. "The historians of every country in the past have displayed a notorious lack of initiative in the discovery of materials"; and "whilst time and money and still more precious scholarship have been lavished upon the publication and republication of historical texts which possess a conventional or a sensational interest, comparatively little attention has been paid to the outlying sources". A most interesting object lesson in the value of the less obvious documents would be the arrangement and publication of all of the records of the English central and local government during some representative year.

The treatment of palaeography is brief and sketchy, but the section on diplomatics fills half the volume and is of interest to the student of constitutional and legal history as well as to the professed devotee of the auxiliary sciences. Mr. Hall interprets the term official record broadly, including not only writs and charters but state papers, departmental instruments, surveys, inquisitions, accounts and judicial proceedings; and while the continental background is not forgotten, he shows the nature of the distinctly English types and brings together a mass of information for which we should look in vain in the foreign manuals. Almost every page reveals the gaps in our knowledge and the absence of that monographic investigation of English topics which is a necessary prerequisite to such comparative studies as have recently been attempted in Erben's *Urkundenlehre* and in the *Archiv für Urkundenforschung*. At no point is this need greater than in the Anglo-Saxon period, and we should be especially grateful to Mr. Hall for his courage in essaying a provisional treatment without awaiting the volume which has been so long expected from Mr. W. H. Stevenson. A critical sifting of the Anglo-Saxon charters is one of the most pressing needs of historical scholarship, for "they are still, to the great majority of students, merely typographical abstractions of constitutional, eco-

conomic or philological interest, to be taken as they are found, with such casual reservations as it has pleased a few inquiring minds to propound". The question whether a charter has been preserved in the original or in a copy has rarely been raised, and no systematic examination has been made of the habits and interests of the various religious establishments in the matter of forgeries. The grouping of charters by monastic houses, which has long been the practice of continental critics, is the more necessary in England if we grant Mr. Hall's negative conclusions respecting the Old English chancery. He finds no sound evidence of a royal chancellor or notary before the Conquest—"Regenbald priest and chancellor" becomes a simple priest at his hands—or even of the sealing of charters, as distinguished from writs; and while "there is abundant evidence of a highly developed style of diplomatic composition", in "this primitive age the grantee drew his own grant and obtained its ratification by his personal supervision and supplication, supplemented on occasion by a judicious offering. . . . The Old English charter is a religious and a local product. The handwriting is local, the language is local, the formulas are adopted by local scribes from academic models; the attestation only is official, inasmuch as the court by which it is ratified followed the king into the locality".

The *Formula Book*, originally planned as an appendix to the *Studies*, to which it is the natural complement, is the work of Mr. Hall's seminary at the London School of Economics. Seven students collected and transcribed the documents, while the labor of direction and editorship was performed by Mr. Hall. The result is a handbook of two hundred and twenty-five classified specimens of English official documents, ranging in date from the eighth to the nineteenth centuries and forming a collection at once more convenient and more scientific than the *Formulare* of Madox with which the student has hitherto been obliged to content himself. Besides the examples of individual types, the editor has at certain points brought together a series of writs or letters which show a connected sequence of transactions, as in the grant of letters patent to Connecticut in 1661-1662. The method of printing the documents will not command universal assent. No indication is given where words have been extended, and the device of representing Latin final *ae* by *é* could prove of assistance to the unpractised reader, only if it were generally followed in medieval texts. Mr. Hall's use of the term original for such early copies as Nos. 1 and 8 is apt to mislead, and his annotation of Henry I.'s charter concerning the local courts (No. 16) could have profited by Professor Adams's commentary in an earlier number of this journal.

A second part is in preparation, comprising "formulas of surveys, inquisitions, accounts, and of such judicial records as chiefly lend themselves to diplomatic study".

CHARLES H. HASKINS.

*Select Essays in Anglo-American Legal History.* Volume II. By various authors. Compiled and edited by a committee of the Association of American Law Schools. (Boston: Little, Brown and Company. 1908. Pp. viii, 823.)

READERS of the first volume in this series (see *AMERICAN HISTORICAL REVIEW*, XIII. 628, 629) will find the second equally attractive and helpful. The general surveys in volume I. are now followed by twenty-five essays grouped into four parts on the history of particular topics. The editors warn us that the symmetry of the earlier volume is not to be expected in this one. It certainly is true that the essays of volume II. have, in the words of Coleridge, only "the same connection that marbles have in a bag—they touch without adhering". But the marvel of it is, that in a volume composed of so many separate essays written by different hands at different times there should not be much more "touching without adhering" than there actually is; and after all we are clearly the gainers. We do not mind the overlapping in subject-matter and the conflict of views when the subject-matter is the origin of equity and the conflict of views is between Mr. Justice Holmes and Professor James Barr Ames. This only adds zest to the reading, and when so much still remains to be done in the study and mastery of English legal sources, it would be surprising indeed were there no disagreements among the pioneers. The time for a symmetrical account of legal development in England and in other countries under the sway of English law has not yet come—but is coming.

To everyone helping to prepare the way for that time part 1. of the present volume will appeal especially, for it is devoted to the sources. Professor Brunner of the University of Berlin has placed all legal and historical scholars under an additional debt of gratitude by revising, enlarging and recasting for the present volume a portion of his *Uebersicht über die Geschichte der französischen, normannischen und englischen Rechtsquellen*. The portions relating to French and Norman sources are now omitted, and the essay is entitled *The Sources of English Law*. The learned author states that Gilbert de Thornton's treatise entitled *Summa de Legibus et Consuetudinibus Angliæ* of about 1292 was not published and is now lost. But what was lost yesterday may be found to-day. Following up the clue given by Selden in his *Dissertatio ad Fletam*, Mr. George E. Woodbine of Yale University now believes he has identified MS. Hale 135 in Lincoln's Inn Library as the missing Thornton (see Mr. Woodbine's article entitled "The Summa of Gilbert de Thornton", *Law Quarterly Review*, January, 1909, which appeared shortly after the publication of Professor Brunner's essay). The second essay in the present volume is the late Professor Maitland's *Materials for the History of English Law*, an account of sources and literature down to the time of Henry VIII. Mr. Holdsworth's essay on the Year Books traces the origin of these medieval reports, discusses

their characteristics, and furnishes a brief account of the manuscripts and printed editions. Mr. Holdsworth follows recent editors—Horswood, Pike and Maitland—in the view that the year-books had no official origin, as the traditional legend would have us believe, but were, at first anyway, purely private work, the very earliest of them most probably “students’ notebooks” (see Maitland, *Year Books* 1 and 2 Edward II., pp. xi–xiv, 3 Edward II., pp. ix–xvi); though Professor Brunner, in the essay above noted, seems to adopt the traditional position. The story of the reporting of judicial decisions is carried on in Mr. Van Vechten Veeder’s *The English Reports, 1537–1865*. Included also is an Historical Survey of Ancient Statutes by the Record Commissions, an interesting account made up of extracts from the introduction to *Statutes of the Realm*. Appended to part I. are three valuable lists. Professor Wigmore provides us with a new and hitherto unpublished list of references supplementary to Mr. Edward Jenks’s List of Principal Sources of Medieval European Law. From Professor Reinsch we have a Short Bibliography of American Colonial Law.

Part II. contains essays by Inderwick, Spence, Holdsworth and Mears on the history of the courts—common law, equity, ecclesiastical and admiralty, their organization and jurisdiction. Part III., the largest of the four, traces the history of procedure, and the ten essays range from the late Professor Thayer’s *Older Modes of Trial* and Sir Frederick Pollock’s *King’s Peace in the Middle Ages* to Professor Hepburn’s *Historical Development of Code Pleading in America and England*. It is difficult to single out for comment any one or more of these ten delightful essays, but it may be permitted us to draw attention, in addition to the three just mentioned, to Professor Maitland’s *History of the Register of Original Writs*, Mr. Hubert Hall’s *Methods of the Royal Courts of Justice in the Fifteenth Century*, and the *General Survey of the Rules of Evidence* by Professor Wigmore, one of the learned editors of the present collection. In part IV. are six essays on equity. When Mr. Justice Holmes’s *Early English Equity* first appeared some twenty-odd years ago, it not only attracted much attention by reason of its originality of view but also marked the beginning of a new period of investigation in the history of equity, Professor Ames’s brilliant *Origin of Uses and Trusts* being one of the results. The late Professor Langdell’s *Development of Equity Pleading from Canon Law Procedure* and essays by Solon D. Wilson and Sydney G. Fisher on the history of equity in America complete part IV. and the volume.

Of course the present series, volume II. of which lies before us, presents only a selection from the many scattered essays on Anglo-American legal development that have appeared in recent years. We are glad to see that the editors have included in volume II. at the beginning of each part longer lists of such essays than they did in

volume I. We may hope for even more complete lists in the forthcoming volume III. In future editions of the whole work the editors might possibly see their way to publish still more of these scattered essays. This step would be welcomed by the legal profession and by teachers and students of law and history.

HAROLD D. HAZELTINE.

*Studies and Notes supplementary to Stubbs' Constitutional History, down to the Great Charter.* By CHARLES PETIT-DUTAILLIS, Honorary Professor in the University of Lille. Translated by W. E. RHODES, M.A. [Publications of the University of Manchester, Historical Series, no. VII.] (Manchester: University Press. 1908. Pp. xv, 152.)

IN 1907 appeared a French translation of the first volume of Stubbs's *Constitutional History*, edited with notes and supplementary studies by M. Petit-Dutailis. These studies have been Englished, says Professor Tait in his preface to the present work, to furnish English students with a supplement to this first volume, for English historians have been "too much engrossed with detailed research to stop and sum up the advances". M. Petit-Dutailis found that not only had much important work been done since the last edition of the *Constitutional History*, but that in later editions Stubbs had made slender and unsatisfactory use of several noteworthy achievements already effected. Furthermore our author notes the changed tone of recent medievalists, who are less swayed by the conception of England as "the messenger of liberty to the world". These supplementary studies impress one as a discreet and learned attempt to safeguard a public, which is likely to learn all that it will know of a great subject from a single book, against the shortcomings of that book. The utility of translating them for English students, of whom such as are sufficiently advanced to profit by these technical discussions should be familiar with much of the monographic literature behind them, seems to the reviewer doubtful. There will be English readers, however, thankful to have the nub of a mass of hard reading given them with a Frenchman's brevity and precision. Seventy-five books (most of them recent monographs) and over thirty-five articles are cited, many of them repeatedly, in one hundred and forty-five pages of text.

There are twelve studies and notes, varying in length from twenty-eight pages to two pages. In the first seven (pp. 1-66), the author confessedly does little but sum up the work of others, showing however the shrewd discrimination and sound judgment of the experienced researcher. The three most extensive of these treat the origin of the manor, the origin of the Exchequer, and the tenurial system. The first skilfully combines a historical sketch of the rural classes in England with a critical outline of the literature of the subject, bringing the

famous controversy down to date. He holds with Vinogradoff as to origins, but believes that scholar to have over-emphasized the similarity between the thirteenth-century manor and the Anglo-Saxon community; he approves Maitland's caution on this point; and commends to Englishmen Delisle's *Etude sur la Condition de la Classe Agricole en Normandie*, believing that the effect of the Conquest upon English agriculture has not been appreciated nor Norman conditions sufficiently studied. Under the last head, much should be expected from the present researches of Professor Haskins. In the last five studies, M. Petit-Dutaillis speaks with authority, his *Etude sur la Vie et le Règne de Louis VIII.* (Paris, 1894) having led him to original investigation of several important English institutions. These studies are upon the origin of English towns, twelfth-century London, the two trials of King John, the "Unknown Charter", and Magna Carta. He emphasizes the economic aspect of borough origins rather at the expense of their institutional aspect; he appears to have disproved Mr. Round's theory that the official confederation of the Cinque Ports was subsequent to John's reign; he believes that London was a commune in the French sense only during Richard I.'s absence, but has not successfully accounted for the mention of London's aids in the feudal twelfth article of the Charter. He upholds Bémont's original theories regarding the trials of John; believes that the "Unknown Charter" is the report by an agent of Philip Augustus of negotiations between king and barons shortly before the *Articuli Baronum* were formulated; and supplements some of McKechnie's conclusions by an acute study of several articles of Magna Carta, contributing some original suggestions upon points of detail. He strangely fails to take account of Professor Adams's studies on the Charter. One cannot accept his statement that art. XIV. was solely in the king's interest nor that "there is no question" in the Charter "of the reign of law". Several other supplementary studies that might have been added promptly suggest themselves; certainly recent work on scutage is very inadequately dealt with in the footnote on p. 56.

A. B. WHITE.

*L'Angleterre Chrétienne avant les Normands.* Par Dom FERNAND CABROL, Abbé de Farnborough. [Bibliothèque de l'Enseignement de l'Histoire Ecclésiastique.] (Paris: Victor Lecoffre. 1908. Pp. xxiii, 341.)

THE Abbot of Farnborough has placed students of ecclesiastical history under various obligations and the great dictionary of archaeology and liturgics appearing under his editorship would alone secure for him a distinguished place among scholars. The present slight work will not add much to his reputation. At first sight it looks pretentious, with its unnecessarily elaborate critical apparatus. Much space is given to bibliographies and the pages are loaded with references to authorities

and sources. Yet the text rarely travels beyond Bright's *Chapters of Early English Church History* or Hunt's well known volume in the series on the history of the Church of England edited by Stephens and Hunt, or other standard works. Even the bibliographies have less originality than would at first appear. But to say that the volume is of little importance to students able to use English books is not to condemn it. In reality it is merely a part of a great undertaking inspired by the wish of Leo XIII. to see "une histoire ecclésiastique universelle, mise au point du progrès de la critique de notre temps". As such the work is excellent, fully abreast of recent scholarship, bringing together assured results in an attractive and convenient form. Writing on such a theme it is difficult for an author to suppress himself and it is hardly necessary. The ecclesiastical affiliations of the writer, however, are nowhere obtrusive and there is no trace of bias in his statements. Dom Cabrol has been unfortunate in falling foul of some of the writers of an antiquated type whose contentions have long since been abandoned by English scholars of all parties, but to whom he feels called upon to give a few polemical thrusts. These passages though brief are to be regretted as giving French students and others unacquainted with the better English works a false opinion of Anglican scholarship, to representatives of which the author pays high tribute in his bibliographies, though without noting that they are Anglican writers. The general treatment of the Anglo-Saxon Church labors under the disadvantage of being often over-condensed. Some space given to graceful legends might have been saved for more important matters. Thus it is quite misleading to attribute the conversion of Wessex to the influence of King Oswald. The importance of the work of St. Birinus should have been mentioned. There is too much stress laid upon the work of Aidan. The force of territorialism in the Anglo-Saxon Church is hardly recognized. There is a disproportionate amount of the limited space given to monasticism, important as that is. But as an introduction to the subject, the book will serve as a safe guide to French students and for further study the ample bibliographies and references, points for which the author has an evident weakness, will be found useful. For English and American students there are more satisfactory works at hand, for the traditional Anglican historian has been entirely supplanted by such men as Bright, Hunt and Plummer.

JOS. CULLEN AYER, JR.

*The Gilds and Companies of London.* By GEORGE UNWIN, Lecturer on Economic History in the University of Edinburgh. (London: Methuen and Company. 1908. Pp. xvi, 397.)

MR. UNWIN has given us a most interesting general account of the numerous gilds and companies of the great English metropolis and has supplied a valuable work of reference for students of municipal, social

and industrial history. There does not appear to have been any time in the history of London when a gild merchant of a general character existed and consequently the history of the various crafts, mysteries and companies assumes especial importance and significance. In spite of this fact and of abundant original material in the form of chronicles, records and reports, we have lacked a well organized and authoritative account of the craft movement in London. The standard works on the subject have been Herbert's *History of the Twelve Great Livery Companies of London* (two vols., 1836-1837), a valuable and painstaking work, and Hazlitt's *Livery Companies of the City of London* (1892), a useful compilation from published sources of information. The present work, which is based on ten years' study of printed and unprinted sources, is therefore a very timely and important contribution to English history.

The plan of Mr. Unwin's work is clearly influenced by two aims, first to give a clear account of "the continuous organic development of the gilds and companies of London from the days of Henry Plantagenet to those of Victoria" and, second, to bring out "the significance which the gilds and companies as a whole have had for the constitutional history of the city, and for the social and economic development of the nation at large". The first of these aims is necessarily given most prominence and is carried out with remarkable success by a marshalling of data in a clear and connected way. The discussion of the significance of the gilds and companies and of their influence on the country at large leaves more to be desired, though there are many clever generalizations, not always supported by evidence.

The first chapter in the book is entitled *The Place of the Gild in the History of Western Europe*, but hardly deserves such a title nor, in the opinion of the reviewer, should it have been inserted at all. It is not well thought out nor well organized and in its rhetorical phrases in the form of questions (e. g., p. 11, "Whence came the great change, the return to the upward movement, the budding morrow in the midnight of the dark ages? Was it due to the infusion of German blood, or to the infusion of Christian doctrine, or to some other still more occult cause? To use a convenient formula of M. Maeterlinck, 'We cannot tell'") it is out of harmony with the later chapters. The really valuable part of the work consists of the other eighteen chapters tracing the special development of the London gilds. After a brief account of the Frith Gild and the Cnihten Gild of Anglo-Saxon times the origin of the craft-gilds in the courts of the bakers, fishmongers and weavers is taken up in a clear and interesting manner. Then follows a useful account of the adulterine gilds of Henry II.'s time and later as unofficial associations or fraternities. With Chapter v. on *The Crafts and the Constitution* the political influence of the crafts is emphasized and this is further developed in the following chapters on

The Greater Misteries and The Lesser Misteries. Chapters VIII. (The Fraternities of Crafts) and IX. (The Parish Fraternities) are digressions from the political narrative but throw valuable light on the social and religious aspects of London gild life. The account given in chapter X. of The Rule of the Misteries, 1376-1384, brings out most admirably the part played by the crafts of London during the strenuous years that saw the end of Edward III.'s long reign and the beginnings of the rule of the boy king Richard II. This period and the early fourteenth century saw the climax of gild power and prosperity; in 1422 there appear to have been no less than one hundred and eleven crafts in actual existence. Failure to secure incorporation, competition of trade, expense of maintenance and other minor causes combined, however, to rapidly lessen the number of crafts. Amalgamation became frequent and by 1531 there were only about sixty recognized crafts and of these not more than thirty were incorporated. Of these the twelve most important were known as the "Twelve Great Livery Companies" and were supposed to have special rights and privileges, especially in the matter of civic offices. Space will not permit of any detailed account of the later chapters of Mr. Unwin's book; it must suffice to say that he carries us along rapidly through the age of industrial expansion under the Tudors and the monopolies of the Stuarts to the transition from the gild to the trade-union. The work closes with a brief account of the interesting present-day survivals of the London gilds, especial attention being bestowed on the gilds of transport. In an appendix is given a list of the chief parish gilds, an extract from the Brewers' Records of 1422 giving the one hundred and eleven companies then existent, and a list of the forty-seven companies keeping the watch in 1518 from the London Letter Book. A second appendix contains an excellent list of special sources for the history of the existing London companies. This is a useful special bibliography but we should have been glad of a more general one as well. However, a very satisfactory general bibliography of the gilds and companies of London will be found in Gross's *Bibliography of British Municipal History*.

On the whole Mr. Unwin is to be congratulated for having produced such a valuable and readable account of London civic and commercial life.

N. M. TRENHOLME.

*Innocent III.: Le Concile de Latran et la Réforme de l'Église, avec une Bibliographie et une Table Générale des six Volumes. Par ACHILLE LUCHAIRE, Membre de l'Institut. (Paris: Hachette et Cie. 1908. Pp. x, 291.)*

THE five preceding volumes of this series dealt with the political work of Innocent III.; this sixth and last volume devotes itself to the epilogue of that great pope's political activity—the Lateran Council,

and to his ecclesiastical polity. The book is a fitting close to the series, a circumstance which strikes one with peculiar force because M. Luchaire died not long after its appearance. Indeed the volume at hand is the most valuable of the series, if not for its discussion of the Lateran Council and the reform of the Church, or its "*addenda et corrigenda*", at least for its index to the series, its bibliography of Innocent III., and the author's justification of the method he has pursued in his work.

The body of the volume (pp. 1-190) is devoted to the Lateran Council and Innocent's government of the Church. There are no chapter-headings, merely breaks in the text indicating change of topic. The chief merit of the volume, as of its predecessors, is the excellence and clearness of the narrative. Occasionally the author enters into some critical discussion (p. 11, note 1, and pp. 37-42) which shows that he was perfectly capable of extensive critical production; but it is only occasionally. The account of the ecclesiastical polity of Innocent is valuable because it assembles instances of the pontiff's action in governing the Church. The protection of the Church against her opponents, nobles, cities, or patrons (p. 98 ff.), the suppression of the immorality of the clergy (p. 101 ff.), the prevention of the exploitation of the Church (p. 108 ff.), the enforcement of the payment of tithes (p. 109 ff.), the arbitration of quarrels between or within chapters (p. 115 ff.) or between chapters and bishops (p. 122 ff.), the relations between the popes and the bishops, and the success of the former in ruling the latter (p. 128 ff.), the manipulation of "apostolical protection" (p. 167 ff.), the promotion of papal favorites (p. 170 ff.)—all these interesting topics and many others are discussed and illustrated by actual instances. One is convinced that the author succeeded admirably in accomplishing what, according to his preface (p. x), he proposed to do; to give a clear idea of the activities of a great medieval pope.

The bibliography is on the whole excellent. Excepting a general section, it is arranged topically, according to the volumes and chapters of the series. A few of the titles are followed by a critical note; it is a pity that there are so few. Hurter is quite properly given as the principal scientific biographer of Innocent III.; but the person who consults this bibliography could well be advised of the excellence of the work of such scholars as Hampe or Ficker, and assuredly ought to be warned against such a biography as Pirie-Gordon's. The index is good; it would be more serviceable if, besides proper names, it gave subjects.

Without doubt one of the most interesting features of this volume is M. Luchaire's justification of his work on Innocent III. Answering the objections against his work, he says that he wrote, not for scholars, but for the history-loving public, and for that reason suppressed every evidence of erudition. But that does not make the work unscholarly: "Il n'est pas une ligne de ces livres qui ne soit fondée sur un texte, et

pas un chapitre où l'on n'ait mis à profit les résultats acquis par la science et la critique contemporaines" (p. vii). The method adopted by Hurter, says M. Luchaire, will always produce the same results; "c'est-à-dire à faire un livre qui se consulte, mais ne se lit pas. Or je tenais, avant tout, à être lu. Il s'agissait, pour moi, non d'être utile à quelques douzaines d'érudits, mais de donner au public soucieux du passé, dans un ouvrage de format commode et d'exposition courante, la claire intelligence de ce que fut, au moyen âge, l'action d'un grand pape. Je n'ai jamais eu d'autre objectif, et celui-ci suffit à mon ambition" (p. ix). The ambition was realized.

EDWARD B. KREHBIEL.

*The Black Death of 1348 and 1349.* By FRANCIS AIDAN GASQUET, D.D., Abbot President of the English Benedictines. Second Edition. (London: George Bell and Sons. 1908. Pp. xxv, 272.)

THIS interesting monograph is practically a reprint of the author's *Great Pestilence of 1348-1349*, published in 1893. The title has been popularized; for the term "Black Death", as applied to the pestilence in England, is no older than the nineteenth century; but the text shows no important changes. Since the publication of the original work, the cause of the transmission of bubonic plagues has been discovered, through observations in the plague-stricken districts of India, to be the rat-flea. In his preface to the second edition, the author accepts this discovery for the plague of 1348-1349.

No one except the horror-stricken contemporaries has ever described the symptoms of this dread disease and its awful fatality more graphically than our author. It would seem, however, that he is sometimes too prone to accept the exaggerated statements of terrified contemporaries, at their face value: for example, that 100,000 perished in each of the cities Siena, Florence and Venice; but in his account of the plague in England he usually proceeds with greater caution. He has certainly made diligent use of contemporary documents: such as the institutions to vacant benefices, in the episcopal registers; the preferments to livings controlled by the crown, recorded in the patent rolls; and, to a less extent, the *inquisitiones post mortem* and the court rolls. His conclusions as regards the mortality of the clergy seem sound. Fully half may have perished, but it does not therefore follow, as he assumes, that half of the laity perished. For more than any other class the clergy, in visiting the sick and administering the last sacrament, came in contact with the plague-stricken, and were therefore more liable to infection.

The last chapter, devoted to the consequences of the mortality, is the least satisfactory of all. This is particularly true of the discussion of the economic consequences, which contains practically nothing

that has not already been said. Statements like the following, that the "practical emancipation [of the serf] was won by the popular rising of 1381", require revision in the light of recent research. It is to be regretted that the opportunity of a new edition was not utilized by the author to correct certain defects which previous reviewers had pointed out. He accepts, without sufficient investigation, the statement of the *History of Shrewsbury* (which is itself based on an inadequate interpretation of Trevisa), that the increased use of the English language instead of the French in the schools and in society was due chiefly to the pestilence. His view that the Great Pestilence formed an epoch in the history of English architecture (pp. 235-236), is surely based on an inadequate foundation. His statements regarding the disastrous effect on the clergy, on the other hand, are better founded; although he goes rather too far in the assumption that "the whole ecclesiastical system was wholly disorganized . . . and everything had to be built up anew". And, in our opinion, he has lost the proper historical perspective when he says of the Black Death: "It formed the real close of the medieval period and the beginning of our modern age. It produced a break with the past, and was the dawn of a new era."

GEORGE KRIEHN.

*The Political History of England.* Edited by WILLIAM HUNT, D.Litt., and REGINALD L. POOLE, M.A. In twelve volumes. Volume IV. *The History of England from the Accession of Richard II. to the Death of Richard III., 1377-1485.* By C. OMAN, M.A., Chichele Professor of Modern History in the University of Oxford. (London and New York: Longmans, Green and Company. 1906. Pp. xvi, 525.)

THE fourth volume of this well-known series has found in Professor Oman an able and a sympathetic author. The account of this intricate but interesting period is one for which his attainments are especially adapted, not only by reason of his previous original investigations, but also because he possesses a happy faculty of presenting the results in articulate English. In his lucid and well-balanced sentences, he achieves a result not too often attained in modern historiography: a pleasing literary style based upon sound original investigation.

The period covered is the century which of all others especially marks the transition from the medieval to modern times. Beginning with an account of the French wars during the first years of Richard II., the author then gives an excellent chapter on the Revolt in 1381, showing the results of his recently published monograph on this subject. He then recounts the Wycliffite movement and the disastrous Flemish crusade, Richard II.'s struggles with the Lords Appellant, his stroke

for absolute power and his tragic downfall. The following chapters treat the early troubles of Henry IV., including the Welsh wars and Northern rebellions, his honest attempt to be a parliamentary ruler, and the political strife between the faction headed by the Prince of Wales and the Beauforts and the party led by the Archbishop Arundel, with which the King usually sided. Two chapters are devoted to the brilliant career of Henry V. in France, two more to Jeanne Darc and the loss of the English possessions there. The Wars of the Roses are well described, showing the fruits of the author's well-known monograph on Warwick the Kingmaker. The two final chapters treat the later wars of Edward IV. and the fall of the House of York with Richard III.

Although the quality of the different sections of the work varies, a high standard is maintained throughout. Some features call for special commendation. The descriptions of military movements and of battles, which play such an important part during the epoch, reveal the hand of an acknowledged authority upon medieval warfare. Of great interest also are the characterizations, usually just though often novel, of the principal actors in the history of the period: for example, of Richard II.'s opponents and friends, of whom Michael de la Pole is a typical "bureaucrat", not a favorite. The author is little influenced by the traditional view of Henry V. as "the most splendid type of manly courage and wisdom" (p. 232). He considers him the arch-persecutor of the Lollards, and does not hesitate to condemn his policy as well as some of his actions: such as the cruelty which marked his later warfare; the murder of the prisoners of gentle blood before the castle gates of Montereau, in order to terrify the governor into surrender (p. 279); the execution of the Scottish prisoners taken in France (p. 285), and so forth. Although the author is perhaps a little hard upon the model king, his final conclusion, that Henry's dream of English rule in France was "a vain imagining, sinning against the eternal facts of national life and consciousness" (p. 278), seems reasonable enough. The ultimate unhappy effects of this policy touched England itself, and thwarted the attempted Reformation of the Church in the Council of Constance. For Henry's success in winning over the Emperor Sigismund to his cause drove the French prelates, who were in particular the champions of reform, into the opposing camp, with the result that the best opportunity ever offered for a peaceful Reformation of the Church from within came entirely to naught.

\* Of particular interest is the author's seemingly just estimate of the career and services of Jeanne Darc, in which he by no means spares the pusillanimous conduct of Charles VII. and his councillors. He justly characterizes the able and conscientious John of Bedford, who was, "with exception of his elder brother, the ablest man whom the House of Plantagenet had produced for over a century" (p. 289). Duke

Humphrey of Gloucester receives unstinted blame for his instability, selfishness, and lack of patriotism. The character of the chivalrous Edward IV. is thus summarized—too harshly we think: "England has had many worse kings, though she has seldom been ruled by a worse man than the selfish, ruthless, treacherous Edward of Rouen" (p. 469).

The interesting character of the work should not, however, blind us to certain serious defects. The author's conception of political history is even narrower than that of the editors of the series, who state that "notices of religious matters, and of intellectual, social and economic progress will also find a place in these volumes". It is true that these subjects are not entirely neglected: Wycliffe and the Lollards receive the requisite attention; but neither the intellectual, social, nor economic development are as adequately treated as is necessary. Only in his introductory remarks to the chapter on the Social Revolt in 1381 does the author notice the social conditions of the age, and the New Learning receives not quite a page of notice (p. 469).

In the footnotes also, the author seems to have fallen below even the restricted standard set by the editors of the series. In a book intended for students, annotations should give some idea of the sources upon which the narrative is based, except in cases of statements which are matters of common knowledge. Far from doing this, the author usually cites no authorities whatever. For example, in his account of Henry V.'s conquest of Normandy (pp. 260-281), into which he has woven many of the most important events of the period—such as the visit of the Emperor Sigismund, the results of the Council of Basel, the murder of John of Burgundy, the trial and execution of Oldcastle and the Treaty of Troyes—he cites not a single authority. Nor are the sources used in that careful, analytical way which modern historical research demands. This indeed, is the chief defect of the work. To cite a single example, the author in his account of Jack Cade's Rebellion does not seem to have been aware of the existence of the recently published MS. Cotton. Vitellius, which throws considerable light on the subject. From it we learn, for example, that the King himself granted a judicial commission to the mayor of London and to certain lords and justices to try the unfortunate officials against whom the rebellion was directed. Lord Say, the treasurer, and Crowmer, sheriff of Kent, were led before this commission. They were delivered to the officers by the commander of the Tower, Lord Scales, not because of his own cowardice, but in obedience to the royal writ.

Nor is the defect I have named made good by the critical apparatus offered in the appendices. The first of these is devoted to the sources and the modern authorities, the former being treated in fourteen pages containing a good brief description of the respective chronicles and documents; but this description shows no original investigation, and makes no new contribution to our knowledge of the subject. Not all

the sources are enumerated, as a comparison with Professor Gross's *Sources and Literature of English History* will show. Two pages are devoted to the modern authorities, and here too there are notable omissions. The second appendix is devoted to the genealogy of the Houses of Lancaster and York and the collateral lines. At the end of the volume are good maps of England under the House of Lancaster, of France at the greatest extension of the English power, 1428-1429, and lucid plans of the battles of Agincourt, Towton, Barnet and Tewkesbury.

GEORGE KRIEHN.

*Lollardy and the Reformation in England: An Historical Survey.*

In two volumes. By JAMES GAIRDNER, C.B. (London and New York: The Macmillan Company. 1908. Pp. xii, 578; vi, 506.)

THE fulness and accuracy of Dr. Gairdner's knowledge of the sources and literature of Lancastrian, Yorkist and early Tudor England have long been proverbial among younger laborers in this vineyard. Upward of thirty large volumes of original material have been edited by him or under his immediate supervision during the past fifty years, and the crown and fine flower of his arduous work—the magnificent set of *Letters and Papers of the Reign of Henry VIII.*, on which he has been engaged since the death of the Rev. J. S. Brewer in 1879—is now approaching completion. How infinitely more accurate, comprehensive and convenient in arrangement than the Calendars of the subsequent period this set is, can perhaps be best realized by American students of Tudor history, who are separated by the Atlantic Ocean from the manuscripts themselves. And Dr. Gairdner has strengthened his claim to speak with paramount authority on the facts of his chosen period by his work as an author as well as by his labors of editorship. His books, reviews and articles all exhibit a direct dependence on the sources, a wealth of detail and a clearness of statement which invariably carry conviction, especially as he has hitherto on the whole avoided any attempt to marshal his facts in support of any particular theory or to express any strong opinion. Now however, in his eighty-second year, he comes before the public with a work of a much more ambitious nature, “a historical survey rather than a history”, in which he clearly sets forth his own personal convictions, and interprets his material in the light of them.

The book is, in effect, an account of the development of religious principles within the Church of England from the close of the fourteenth century to the death of Henry VIII. Of the four parts into which it is divided, the first, entitled “the Lollards”, carries the story up to the breach with Rome; the last three, under the names of “Royal Supremacy”, “The Suppression of the Monasteries” and “The Reign of the English Bible”, cover the crucial years 1530-1547. Throughout

the reader is given fresh glimpses into the great storehouse of unpublished material of which the author holds the master key. So accustomed have Dr. Gairdner's readers become to his munificent generosity in imparting information that they may forget to be adequately grateful. It is however but human nature that they should want to hasten on to discover his conception of the fundamental principles which underlie the developments which he describes, and learn the standpoint from which he views the course of the English Reformation. Whether they agree with him or not, they cannot fail to be interested.

Dr. Gairdner proclaims himself at the outset to be a believer in "a national Christianity", and it is easy to see at every turn that it is the continuous and conservative aspect of the history of the English Church that really appeals to him. But on the other hand, he entirely refuses to admit that there was the slightest precedent for Henry VIII.'s repudiation of the papal authority, an action which he characterizes as unjustifiable and revolutionary, and for which he is unwilling to assign any higher motive than a "brutal passion for Anne Boleyn". Having thus come out fairly and squarely as an opponent of Bishop Creighton on the fundamental question of the relations of the English Church and the Papacy, Dr. Gairdner turns to the doctrinal side of the Reformation and devotes the bulk of his work to demonstrating that the religious revolution which followed the declaration of the Royal Supremacy, and which was initiated at least by Henry VIII. in order to prevent a return to Rome, was founded on Lollard principles which had grown up in England a hundred and fifty years earlier, rather than on an importation of contemporary continental Protestantism. "Royal Supremacy, when the King had made up his mind to it, suggested his seeking the support of Lollardy", whose "principles remained precisely what they had been" before the Reformation, and as time went on royal power began to act more and more openly in accordance with them. At the close we even find a hint that Lollardy broke forth "in the forms of Calvinism and Puritanism" under Elizabeth, a thesis which we may expect to have more fully developed in a continuation of the present work, for which Dr. Gairdner gives us reason to hope.

To follow the arguments which the author brings forward in support of the position that he has taken, is of course impossible within the limits of this review. Though the facts adduced are almost invariably stated with accuracy, it is not always easy to see how they bear on the main question; and Dr. Gairdner does not strengthen his case by his reiterated assertion of general principles such as "Things which abide in religion have truth in them" (twice in twenty lines on p. 468 of vol. II.). In so far as it is an attempt to prove a theory, the book will probably seem inconclusive to the majority of its readers. But no worthy student of the English Reformation can feel otherwise than grateful that it has seen the light.

ROGER BIGELOW MERRIMAN.

*Staat und Gesellschaft der Neuere Zeit (bis zur Französischen Revolution).* Von FR. V. BEZOLD, E. GOTHEIN und R. KOSER. [Die Kultur der Gegenwart, ihre Entwicklung und ihre Ziele. Herausgegeben von PAUL HINNEBERG. Teil II., Abteilung V., 1.] (Berlin und Leipzig: B. G. Teubner. 1908. Pp. vi, 349.)

THE above volume is interesting even if "read by title" alone. In the first place it is one of the numerous synthetic co-operative works of which German scholarship is turning out its full share in competition with French, English, Danish and American scholars, after having made its impress on scholarly methods by an almost scholastic exploitation of narrow fields or selected topics. Co-operative writing of general histories is now the mode in Germany and the German when he thinks he is leading or when he knows he is imitating a movement leads far and imitates to exaggeration. In the second place, Dr. Hinneberg and his collaborators are writing to explain the cultural as well as the political basis of present-day civilization. The watchword is no longer simply "Staat" or "Politik" or "Diplomatie" or "Verfassung und Verwaltung" or "Heer und Beamtentum". It is "Gesellschaft" or "Kultur" and in the thirty-third degree sounds to the straining ears of the neophyte like "Social-psychologische und volkswirtschaftliche Kultur-einflüsse mit besonderer Rücksicht auf . . .", perhaps it is art, perhaps it is literature, perhaps it is religio-theological doctrines. It is with some such battle-cry that the chariot of Dr. Hinneberg and his publishers and collaborators drawn by the spirit of Lamprecht and the shade of Ranke dashes into the arena armed with a many-volumed explanation of present-day political and social life. A fuller explanation of the scope and intent of the work than can be given here will be found in the publishers' announcement.

In the present volume, Dr. Bezold treats the period from the Italian wars of the 1490's to the beginning of anthropology and Copernicus and achieves originality by not repeating any of the excellencies which make his volume on the Reformation one of the most usable in the Oncken series. Dr. Gothein, already favorably known for his study of Loyola, plunges into the thick of the doctrinal controversies, sectarian strifes and mystical movements of the period of the Counter-reformation and emerges with the beginnings of toleration, science and a non-theological philosophy as his booty. His contribution though heavy reading is, on the whole, the most novel and suggestive part of the volume. Then comes Dr. Koser, than whom no one knows better the political history of the eighteenth century, and carries war and diplomacy sturdily through from Louis XIV. to the American Revolution and the Dutch War of 1787. His nineteen pages on Social Classes, and Dominance of French Culture, are scarcely an adequate expression of what modern times owe to the eighteenth century.

Each contributor appends to his essay a brief bibliography chiefly

of secondary works. The book is printed in Roman type and has the best index that the reviewer has seen in a German historical work. There are several misprints in English and French names (pp. 230 and 332).

The disappointment of the reviewer in the work has a twofold basis. It gives almost no treatment of many important names and topics, *e. g.*, Locke, Bayle, "Aufklärung", Leibnitz, Illuminati, Rosicrucians, the founding of the University of Göttingen, etc. There is something wrong with a historian's sense of proportion and perspective when he omits Newton and includes all the political and dynastic small fry, and gives Ficino as much space as Voltaire and that totally inadequate even for Ficino if he is to be included. In the second place, when the essential and expected is treated, the matter is so scattered and inadequate in many cases that no well rounded concept of the man or movement stands forth in the readers mind, *cf.*, *e. g.*, Bellarmin, Calvin, Pico di Mirandola. History in the making may seem to have no more pattern or plan than a hit-or-miss rag carpet but history made some centuries ago ought by this time to begin to show, in its warp and woof, what was enduring and worth while.

G. S. F.

*Venice: Its Individual Growth from the Earliest Beginnings to the Fall of the Republic.* By POMPEO MOLMENTI. Translated by HORATIO F. BROWN. Part III., Volumes I. and II. *The Decadence.* (London: John Murray; Chicago: A. C. McClurg and Company. 1908. Pp. viii, 229; viii, 236.)

THE two volumes with which Signor Molmenti concludes his monumental study of Venetian civilization denote no departure from the method followed in the earlier sections. It is the decadence, the two centuries preceding the overthrow of the Republic by Napoleon, which is here treated. The development and bloom of the state are doubtless periods of intenser interest, but the slow death, a death by inches, which overtook the Republic of St. Mark, is not without many moving and dramatic moments. By these however the author, following his plan of avoiding political issues, does not set great store. We may justly question whether even in a book devoted to manners some place should not have been found for the remarkable struggle which Venice continued to wage with the Turks, and for something more than the trivial account, offered at the close, of the crisis which planted the French Tree of Liberty upon the square of St. Mark. The vague phrases with which the author treats this culminating event might lead one to think that he wrote not as an historian, but as a patriot resolved to draw the curtain of decency over a shameful situation.

Most certainly the gaps in this last installment of the story of Venice are as frequent and inexplicable as in the earlier parts, but, overlooking

the omissions and concentrating attention upon what is offered, it must be admitted that here is a banquet of social, literary and economic facts on a scale of overwhelming profusion. Nothing short of a life-time of the most self-sacrificing labor given to the accumulation of details could produce such results as these. We have tables of population, statistics of commerce, regulations of guilds, lists of artists and their works. Do you wish to know about the pleasures of the great, their dress, the current forms of gambling, their duels, the annual *villeggiatura*? We have all heard, without knowing too precisely the exact significance, of such indigenous institutions as the *ridotto*, the *cicisbeo*, the *commedia dell'arte*, the singing societies attached to the hospitals; Signor Molmenti with his lordly command of the sources establishes these matters upon a basis of irrefutable fact. The solidity and usefulness of the work is therefore beyond dispute, but no reader, overwhelmed with the accumulation of details, will fail to ask himself whether a little more self-repression would not have produced a pleasanter result. It was, I think, Macaulay, who after reading Hallam emerged with the dictum: "I never knew a man who offered so much information with so little entertainment". Unfortunately Signor Molmenti lays himself particularly open to Macaulay's pleasantry because decadent Venice has left us a few compact monuments, in which we may see, as in a mirror, the whole life of the times. Such are the paintings of Longhi, Canaletto and Guardi, the comedies of Goldoni, and the memoirs of certain lively and distinguished natives and foreigners, such as De Brosses, Goethe and Casanova. At the hand of such guides as these a revival of that eighteenth-century world of vanities and pleasures could be achieved with dispatch, and would be wholly significant and enjoyable. An historian with an eye upon essentials could do no better than gracefully to cede the floor to these important witnesses. The final judgment upon Signor Molmenti's great work must mingle with frank appreciation a word of regret—regret that he did not offer less in order that he might give us more.

FERDINAND SCHEVILL.

*A History of English Journalism to the Foundation of the Gazette.*

By J. B. WILLIAMS. (London and New York: Longmans, Green and Company. 1908. Pp. xi, 293.)

AFTER the preliminary articles in the *English Historical Review* and the *Nineteenth Century and After*, now included as part of the present volume, one was prepared to welcome such a study very heartily. The works of Hunt, Andrews, Grant and Bourne, interesting and important as they are in the main, scarcely cover the field of this new book with either the thoroughness or the accuracy desired by one interested in the history of journalism or of the seventeenth century. Based as this is on the Burney and Thomason collections in the British Museum and on

contemporary authority besides, minutely at times almost microscopically examined with critical acumen and antiquarian zeal, the present study is much the most scholarly account of the beginnings of English journalism which has yet appeared. It is a mine of information. Its account of the emergence of the newspaper through its stages of news-book, coranto, pamphlet, news-letter and the like is in the main new, important and interesting. One would like to say as much for the book as a whole. It is, indeed, an important contribution to the subject. But its interest, and to some extent its value, are limited in certain well defined ways. The product of extensive research, it seems almost too close to its material to escape at times from a categorical, not to say catalogical treatment of its subject, destructive alike to clearness and interest. This is accompanied by a certain lack of what will seem to many a proper historical perspective. And it is curious to observe in this connection that one finds no reference, in preface, text or notes, to any preceding history of journalism, nor to the works of either Gardiner or Masson. This may, in turn, be related to the Royalist and Anglican bias evident in many places. The Royalist *Mercurius Aulicus* "at once struck a higher literary note than the rubbish which had poured out on the side of Parliament" (p. 41); "the tailors and cobblers officering the army and the tradesmen bent on enriching themselves in Parliament" (p. 80); "a mistake having been made in the spelling of the Latin at the start it is characteristic of Puritan obstinacy that the mistake was persisted in" (p. 53); "Cromwell was about to make another attempt to obtain the Crown" (p. 155); the gross and widespread immorality under the Independent régime was due to the fact that "the lack of authority in religious matters had produced a corrosive effect on family life", etc. (p. 145 ff.); these are a few of many flings at the Puritan party. There may be some truth in some of them. But together they form a serious indictment, which will seem to many students of the period based on little more than inadequate historical perspective, not to say knowledge, and pure prejudice, and which should not be allowed to pass unchallenged. It certainly does not appear from the instances quoted that Parliamentary writers were coarser and less witty than their Royalist antagonists. Nor does it seem that the Cromwellians were much more inclined to repressive measures than the Clarendonians. One need not hold a brief for either party, but certainly one would not wish to write history from the pamphlets of either side, and it scarcely seems necessary to do more than record phenomena in such a work. Of the four appendices the first reprints a contemporary Royalist account of the King's execution, but one may question whether this, as is assumed, is conclusive evidence as to who spat in Charles's face even if that was worth recording. The fourth appendix, a list of all periodicals from 1644 to 1666, most scholars will find more useful.

W. C. ABBOTT.

*Histoire de France depuis les Origines jusqu'à la Révolution*, publiée sous la direction de M. ERNEST LAVISSE. Tome VIII., 1. *Louis XIV.: La fin du Règne (1685-1715)*. Par A. de SAINT-LÉGER, Professeur à l'Université de Lille, A. RÉBELLIAU, Bibliothécaire de l'Institut, P. SAGNAC, Professeur à l'Université de Lille, et E. LAVISSE, Professeur à l'Université de Paris. (Paris: Hachette et Cie. 1908. Pp. 484.)

It is not in the nature of dominant power to limit itself; the limits have to be imposed. Before the time of Louis XIV. modern Europe had already twice seen examples of this, first in the sixteenth century when Charles V. sought to convert his power into a universal supremacy and again in the first half of the seventeenth century when the Hapsburg house, although under separate rulers, sought to crush Europe.

In 1685 Louis XIV. also crossed the fatal dividing line between will and arbitrary self-will. The War of the League of Augsburg and the great War of the Spanish Succession were the epilogue of a drama that had been brilliantly played until 1679. M. Saint-Léger seems to think (p. 5) that the King was justified in endeavoring to use the question of the Palatinate as a means to compel the Emperor to convert the armistice of August 15, 1684, into a permanent peace, and that—though he does not palliate the destruction of the Palatinate—that atrocious event has warped the estimation of Louis's real purposes. But Louis XIV.'s real purposes in Germany reached farther than the Rhine. M. Saint-Léger does not seem to have given due weight to Louis XIV.'s imperial ambition. At Versailles the very idea of driving the House of Austria from the throne was cherished. The King sharply reminded Frederick III. of Brandenburg of the treaty formerly concluded upon this subject. The author has failed to measure the force of Eastern European politics at this time. William of Orange may have been the genius of European opposition to Louis XIV., but the bearing of events upon the Danube had great weight.

The armistice upon which the general peace of Europe rested had been accepted by Germany because it could not at the same time carry on war against the French and the Turks; the King had consented to that armistice chiefly because he had not wanted to seem to be the ally of the Ottomans. But since then a complete revolution had taken place in the situation of southeastern Europe. In 1683 Vienna was in danger of falling into the hands of the Turks; in 1688 the Turks were imploring peace, and in Vienna the question was debated whether to grant peace or to continue the war until the conquest of Constantinople, which seemed possible, was made. In eastern Europe the Emperor Leopold enjoyed a position that no one of his predecessors had ever attained. With good reason he was again considered as the head of Christendom

and this position was an argument which had weight with him to push the war against France. There was serious reason for French disquietude. It was possible that the Germans might become strong enough to revert to the treaty of Westphalia and resolutely demand that it be interpreted in the sense which they had given it when it was concluded. Such an event would have been a catastrophe to France and would have overthrown much of the work of Nymegen, and utterly destroyed the advantages acquired by the Chambers of Reunion and the subsequent aggrandizement of France in the Rhinelands. In France the opinion began to obtain that the great question ought to be settled by force of arms before things were allowed to go farther. The moment was as opportune as it was likely to be for France, since hostilities had not yet come to an end in the East, and if the French took up arms they believed that their action would also encourage the Turks.

As he seems to underestimate the influence of eastern European politics upon the war, M. Saint-Léger overestimates the economic exhaustion of France in 1697, or at least Louis XIV.'s perception of that condition. All the King's concessions at Ryswyk were but passing; the definitive ones were unimportant; the important ones were not definitive. Louis had kept before his eyes the oldest aim of his policy, namely the acquisition of the Spanish monarchy. He made peace to have his hands free for this purpose. The author's arguments (pp. 62-63) to prove that Louis XIV. was sincere in his negotiations of 1697 are not conclusive.

Happily M. Saint-Léger grows with his subject. Book II., dealing with the War of the Spanish Succession, is more compactly knit together and the balance is better maintained. The character sketches of Heinsius, Prince Eugene and Marlborough are admirable.

The attentive reader of this volume, however, will peruse the third and fourth books with most pleasure and profit. They deal with the administration, the finances, agriculture, industry, commerce, the causes of economic decline, attempts at reform and changes in social structure. It is a singular fact that no comprehensive economic history of the reign of Louis XIV. between 1685 and 1714 exists. M. Sagnac is to be congratulated for the remarkable portion which he has contributed, especially Book IV. Beginning with the assertion, which cannot too often be made, that revocation of the Edict of Nantes was not a primary cause of France's decline, in a series of fascinating pages he analyzes the whole economic régime. The general causes of decay, such as exaggerated Colbertism, over-taxation, monopolies, paper money, variations of currency, etc., are each amply discussed. But M. Sagnac goes far below the surface of things and penetrates into the obscurer depths of decline. He shows that the decline both of consumption and of production, hard times, the misery due to the wars, the necessity of finding work elsewhere, led to a large exodus of the French working population; that strikes between patrons and working men were common and dis-

astrous (pp. 207, 231-232); that the exodus of the *ouvriers* resulted in an influx of the peasant class into the towns, making cheap and unskillful labor and entailing a consequent decline of agriculture in the rural areas. In order to feed the armies Louis XIV. interdicted the cultivation of the vine in whole provinces naturally adapted to it and required the cultivation of grain where it could not be grown successfully. The consequence was that vast areas went over to pasturage (p. 225). Complaint is made of the paucity of data upon the history of agriculture, but no one who reads these pages will doubt that the author has made a most remarkable showing of facts. Under the adverse conditions the vitality of agriculture, and even more of commerce, was remarkable. The activity of the Chambers of Commerce in the large cities is particularly noted (p. 215 ff.). On page 253 is a paragraph worthy of larger treatment which aims to show that England was almost as much interested in capturing the markets of Spain as in taking up French colonies.

The remainder of the volume is not remarkable. M. Rébelliau deals with affairs of religion and the progress of literature and science and M. Lavissee contributes a short book (vi.) upon the King and the royal family and the court in the last period of the reign, to read most of which is like walking through a portrait gallery. The bibliographies, as usual, are excellent. The only notable omissions seem to be Ranke's *History of England in the Seventeenth Century* and the *Lexington Papers*.

JAMES WESTFALL THOMPSON.

*Paris sous Napoléon: Assistance et Bienfaisance, Approvisionnement.* Par L. DE LANZAC DE LABORIE. (Paris: Plon-Nourrit et Cie. 1908. Pp. 360.)

IN this fourth volume of his exhaustive studies the author follows consistently the plan of the preceding three and what was said of them in a previous number of the REVIEW is equally true of this one (see XIV. 127). It is fully as interesting, painstaking and enlightening. Realizing in the fullest degree how Paris reacted on the rest of France, Napoleon began at the earliest moment the reconstruction of every organization, public and private, which contributed to the comfort of the lower and middle classes. Hospitals and asylums in the first instance, out-door relief and pawn-broking in the second were his especial care. Briefly the disorder incident to the successive revolutionary administrations was banished by a restoration of the older system radically modified. The streams of private benefaction had ceased to flow when the personal element was abolished; they were reopened and the well-springs cleared almost at once by restoring their names to old foundations, their familiar designations to institutions, and re-establishing worship in those of the first importance, such as the re-named Hôtel Dieu. The most

beneficent measure of all was the dismissal of a vast number of worthless servants and functionaries who had held their positions so long that they considered their places as personal property and shirked their work without shame. The method by which the finances were restored was simple enough. Though it diminished available income, the claims of living heirs on certain endowments were recognized, as a measure of common honesty; confidence thus restored, the taxes at the city gates were sufficiently increased to more than supply the loss. The total of such returns, great as was the pressure upon Napoleon, was never permitted to exceed a million dollars, and this insured the practice of a wholesome and rigid economy by the council of administration, otherwise nearly autonomous.

This is but one example of the homely common sense which the Consul and Emperor applied in stimulating real charity and curbing sentimentalism. The invalids who could pay were compelled to pay and found refuge in hospitals and asylums where they received full value for their money. The abuses of the great central loan-broking establishment were reformed by a study of its actual needs and by providing a capital just sufficient for its necessities, and no more.

The second portion of the book, three ample chapters, exhibits fully how the city was provisioned. The bitter experience of General Bonaparte in connection with greedy, unprincipled army contractors during his Italian campaigns had left in the mind of the Emperor Napoleon a deep-seated distrust of all such dealers. In his transactions with them he so scrutinized their performance and accounts that while they frequently suffered from suspicion and petty injustice the people at large benefited immensely. Severe as was the famine of 1811-1812, the city weathered the storm with nothing worse than inconvenience and some unpleasant but harmless privations. The number of bakers was diminished by a half, those only being permitted to remain in business who were so well off that they could work for little or no profit. Grain and flour were sold to them at the lowest possible rates, and the price of bread was slightly increased by administrative decree. Parallel measures were inaugurated for meats, fish, poultry, dairy products and fuel. First and last, all the details of municipal regulation and sumptuary law were thoroughly studied by Napoleon himself, so diligent was he in his rôle of paternal ruler. Though his dealing in such matters as in others of even greater importance was in violation of all economic law, he was content to meet problems as they arose and solve them by even the most temporary expedients.

The author has found in the national archives ample material for all the social and economic novelties in his book. For his work, however, he claims political importance as well, because he believes that Napoleon's fatherly care in the prudent and cautious management of Parisian susceptibility was the foundation stone of his success. To

relieve the necessities of the poor, to make secure the livelihood of the honest toiler, to give those with fixed incomes the largest return for their expenditure, in short to provide for general comfort and well-being in Paris seems to our author a master stroke of political wisdom. No doubt it was. It is impossible to judge motives, but possibly the Emperor's conduct was not entirely controlled by self-interest. There are many instances in his life which exhibit a compassionate nature. Whatever else may be said in favor of the Revolution, nothing is more certain than the utter demoralization of France at its close. The Napoleonic men, with their leader in the van, were profoundly concerned for the regeneration of the country, not entirely as a political measure, although politics occupied their thoughts very largely, but in some small measure at least as a task imposed by common humanity on all in power.

*The Russian Conquest of the Caucasus.* By JOHN F. BADDELEY.  
(London and New York: Longmans, Green and Company,  
1908. Pp. xxxviii, 518.)

FROM close touch with the tribesmen of the Caucasus whom he has known intimately and in a manner altogether unique, the author of this work came gradually to acquire an interest in the historical aspect of their subjugation by the Russians; and finding, even in Russian, no general sketch of the conquest, he has essayed the first complete history of the subject. The equipment needed for this special field—contact with the Caucasus mountaineers—he has gained in a manner which he thus explains in the preface: "Riding through the Caucasus, unaccompanied save by native tribesmen, living with them, accepting their hospitality, studying their way of life and character, conforming as far as possible to their customs, noting their superstitions and prejudices, writing down their songs and legends, I became interested, likewise, in all that related to that strife with Russia in which they or their fathers had, almost without exception, taken part."

As a guide to material there was at hand one of those compilations for which Russian historiography is famous, Miansarov's *Bibliographia Caucasica et Transcaucasica* (1874-1876); but Mr. Baddeley has availed himself of the most recent literature, particularly the documenta of the Archaeographical Commission of the Caucasus and the volumes of the *Kavkazski Sbornik*. That the reliable material should be exclusively Russian was inevitable, for, as Mr. Baddeley observes, the fragmentary accounts and references in languages other than Russian—notably in English—are "full of prejudice and error"; a remark with which we heartily concur, and which, stated with frankness at the beginning of the book, sets at rest the suspicion of Russophobe propaganda, always lurking about an English work on any phase of Russian expansion. Towards the Russian sources Mr. Baddeley is throughout critical, for his own personal knowledge of the tribesmen, especially of the Daghes-

tanis, who resisted imperial absorption so long and so obstinately, gives him the best possible basis for criticism. Thus his appreciation of Muridism, and of the nature of the influence exerted by Shamil over the Mussulmans of the Eastern Caucasus obliges him to combat the official Russian view that Shamil was a bandit, and the Holy War of the Murids but the uprising of fanatical outlaws. In its impartial estimate of the essential strength and weakness of the Murid movement, its careful balancing of the case for the conquered with the case for the conquerors, lies the chief value of Mr. Baddeley's sketch; and for this he has placed all students of modern Russia under obligation.

As a piece of historical writing the work proves to be of very uneven character. The maps indeed are excellent, and the translations of the mountaineers' songs admirable. There is only one printer's error to record: on page 489, stanza 3, in line 2, of the Chechen death-song, "was" should be "wast". (Quarrelling with the transliteration of Russian terms has grown to be such a thankless task for reviewers, that the eccentricities of each new writer may as well be overlooked.) But between the earlier and the later chapters, or as the book is divided, between Part I. and Part II., it is impossible not to detect a difference. Mr. Baddeley lacks the historian's touch, and this is nowhere more evident than in the first half of the book. Here the narrative is labored and perfunctory in the extreme. Part II., on the contrary, offers some very good reading. The writer's intense and almost vital interest in Shamil and the Murids creates, perforce, a style of its own, which makes one regret that Mr. Baddeley did not confine his work to the period between 1830 and 1864—it could easily have borne fuller treatment—instead of carrying his study back to the year 914.

C. E. FRYER.

*The Bernstorff Papers: The Life of Count Albrecht von Bernstorff.*

By Dr. KARL RINGHOFFER. Translated by Mrs. CHARLES EDWARD BARRETT-LENNARD and M. W. HOFER, with an Introduction by the Right Hon. Sir ROWLAND BLENNERHASSETT, Bart. In two volumes. (London and New York: Longmans, Green and Company. 1908. Pp. xvi, 350; viii, 333.)

COUNT ALBRECHT BERNSTORFF (1809-1873) remained for almost forty years in the diplomatic service of Prussia. He had become one of the leading statesmen of his country when he, in the eventful year 1848, was sent as minister to Vienna, where he remained for three years; later he was Prussian minister in London, 1854-1861, and again from 1862 until his death, his term in London having been interrupted by his call to the direction of foreign affairs in Berlin, 1861-1862.

The two volumes of his papers, published by the late Dr. Ringhoffer, are not merely a collection of documents; they are, in reality, a documented biography. The author's text, combining the documents, is on

the whole careful and skillful though not in any way superior nor original. He writes in a truly Prussian spirit, in the original German edition indicated by the title "*Im Kampfe für Preussens Ehre*"; he exhibits an unchangeable admiration for Count Bernstorff and everything Prussian, and he always finds the truth, honesty and generosity on the Prussian side. He is by no means a psychologist, and so, of course, it must be quite inexplicable to him (I. 35) that such an uncompromising, straight-backed, even narrow man as Bernstorff could make enemies.

The documents that form the basis of the book are mostly letters to and from Count Bernstorff, amongst them several ministerial reports. Then follow letters and reminiscences of Countess Bernstorff. These, while not giving us much information about diplomatic negotiations, often contain lively pictures of court life. The author has not given us the whole material that he had at his disposal; many of the documents are printed only in extracts and some appear only in translation from the French, the result of which is that the English text, at least in some cases, presents itself as the translation of a translation. Despite such imperfections, the book affords a most valuable and interesting supplement to the great work of Sybel and the stately Bismarck publications of recent years.

As minister of foreign affairs, Bernstorff was the immediate predecessor of Bismarck. Although he was not capable of suggesting such bold or comprehensive political plans as those of the Iron Chancellor, he was actually preparing the ground for his great successor and later chief. From the very first beginning of his career he clung with tenacity to a policy the purpose of which was to conquer for Prussia the supremacy in Germany and to raise it to an equal position amongst the Great Powers. The documents prove that he contributed in no small degree to the final success of these aims.

In Vienna Bernstorff had to struggle not only with the arrogance of Austria, but also with the inconsistency and disturbing interference of his king. We see him upon his own responsibility making a preliminary agreement with Austria in September, 1849, designed to put Prussia upon an equal footing with Austria in German affairs, and then bringing about the conference of November, 1850, that resulted in the Olmütz Articles, the text of which is given in this book for the first time (I. 165-167). These articles marked the defeat of Bernstorff's Prussian policy, and they were naturally followed by his recall from Vienna.

When he came to London, in 1854, he had to listen to the humiliating language of the British statesman who did not shrink from designating Prussia as a Russian province, and to oppose the pressure by which the Western powers endeavored to drive Prussia into war with Russia. Incidentally we learn an amusing little anecdote about the American envoy James Buchanan (I. 287), whose name, however, does not

appear in the index. The index is, on the whole, very insufficient; several names are simply lacking and there is, for instance, no reference to the first mention of Bismarck, in a letter of 1856 (I. 349).

As minister of foreign affairs, Bernstorff had to handle a series of important questions. His papers confirm what was already indicated by the *Reminiscences of Lord Augustus Loftus*, that it was Bernstorff who brought about the remarkable change in the English policy toward Denmark which found its expression in Lord John Russell's Gotha Note of September 24, 1862. But he was not clever enough to make use of the dreams of Napoleon III. concerning the retracing of the map of Europe. Some new light is thrown upon the Emperor's designs, and for the first time we obtain authentic information about the meeting between Napoleon and King William I. at Compiègne in October, 1861 (II. 108-111). Some valuable documents are given respecting the policy of the ministry toward the Landtag, the conflict with which caused Bernstorff to yield the leading position to Bismarck.

As Prussian ambassador in London during the ensuing years, he had to represent his country at the Schleswig-Holstein Conference of 1864 and in the Black Sea Conference of 1871; but the new information given about these affairs is very slight. For the peace negotiations of 1866, a highly interesting letter from the Prussian ambassador in Paris, Count Goltz, is printed (II. 246-253), and further on we find some letters bearing upon the negotiations with the Bonapartists in 1870.

HALVDAN KOHT.

*Oesterreichs Innere Geschichte von 1848 bis 1907. I. Die Vorherrschaft der Deutschen.* Von RICHARD CHARMATZ. [Aus Natur und Geisteswelt.] (Leipzig: B. G. Teubner. 1909. Pp. viii, 140.)

RICHARD CHARMATZ, author of a former work of German-Austrian politics, fully realizes from the start the difficulty, not to say impossibility, of furnishing in the restricted scope of about three hundred pages a sketch of the inner political development of Austria since the Revolution of 1848. The little volume before us deals with precisely the first three decades after the Revolution, the last thirty-one years being reserved to a booklet which is to appear within a few months.

No state offers so many difficulties to the understanding of its complicated constitutional and institutional questions as does the dual monarchy of Austria-Hungary. While there is in the constitutional history of every other state a clear demarcation in the large inner political struggles, the historian in this case has to treat constantly of the particularistic aspirations of the various races and nationalities, which clash at every step, and which it seems impossible to harmonize. The consciousness, or perhaps the subconsciousness, of those facts, among others, accounts for the stubborn and for a long time suc-

cessful resistance of the ruling powers to constitutional government in Austria.

When the Emperor Francis I. died in 1835 a respite from the blasting absolutism was ardently hoped for by the various races of the great empire. But his successor, Ferdinand, was too weak to enter upon reforms. A so-called state conference consisting of the two most reactionary archdukes, of Prince Metternich and Count Kolowrat carried on an impossible medieval government without any representation by the people, though the Chancellor Metternich was statesman enough to realize that a time of popular rights was approaching.

The assemblies of the estates (*Ständeversammlungen*) began to stir. In Bohemia the high aristocratic members of the provincial assembly began their opposition to the inert central machine of the absolutistic government; in Lower Austria the abolition of the dime tax and of *robot* (servitude) began to be mooted; the Galician estates between 1842 and 1844 proposed far-reaching reforms in favor of the peasants, who were living in abject servitude. The upper strata of the Vienna bourgeoisie tended to radicalism. Great literary lights, like Anastasius Grün, Lenau in his songs of freedom, Grillparzer groaned under the old Austrian tyranny. The anarchy of an antiquated despotism became intolerable. The revolutionizing of the spirits of the upper classes was accomplished before the Revolution of 1848, but the crushed masses did not participate in this movement until economic distress began to shake their chains. The sociological prerequisites for revolution were present in the form of an acute industrial crisis. Several members of the dynasty, pre-eminently the Archduchess Sophie, mother of Francis Joseph, who upon the forced resignation of his uncle Ferdinand ascended the throne of the Hapsburgs, realized now the necessity of reforms. But the puny attempts from above were insufficient to stem the tide. The February revolution in Paris leaped over to Italy, South Germany, Prussia, and most virulently to Vienna and Presburg, where the powerful Magyar agitator, Kossuth, ardently denounced the Vienna governmental system, and passionately demanded liberty for the nationalities and a constitutional government.

The attempts at a constitution at Prague and Vienna, in Lombardy and Venetia, were suppressed with cannon, and a bloody reaction set in everywhere. Under those reactionary influences an Imperial Diet was constituted far from unruly Vienna at the quiet Moravian town of Kremsier. The draft of the Kremsier Constitution again tended toward absolutism and clericalism; yet in spite of all shortcomings this document, so grudgingly granted, established at least a shadow of a modern state. But the victories in Italy, in Austria and the capture of Buda-Pest encouraged the Schwarzenberg government to drive out with arms the Kremsier Diet. A constitution ready-

made by the government was promulgated March 4, 1849. But before the year was over, December 31, even this paper constitution was abolished. Austria—as it were—developed backward politically, and, still worse, the so-called Concordat with the papacy placed Austria under the dictation of Rome.

It is impossible in the space allotted for this review to follow the numerous ministries, as they rose and fell, and the bitter pangs of the various constitutions as they were still-born, or died shortly after birth. The terrible disasters on the battlefields of Solferino and Magenta in 1859, and at Königgrätz in 1866, which removed Austria from Germany, deprived her of Venetia, and produced a violent "Kulturkampf" against the calamitous Concordat, were needed to stop the Great-Austrian policy of repression, to foster inner reforms in the direction of greater liberty, of justice and, through the abolition of the Concordat, of religious freedom. Thus arose the constitution of December 21, 1867, which is still in force today.

Like a red thread there passes through the history of Austria the struggle of the various nationalities for their own home. The various races seek national culture, national administration and national territory. The fulfillment of these fundamental demands means the collapse of Austrian centralization. So long as Austria's official watchword Great German and Great Austrian was identical the Germans were the historical leaders and in natural agreement with the crown. But when the ancient imperial state had passed the momentous years 1866 and 1867 things changed materially. The monarch felt the need to conciliate all the races with his régime, and every concession to Magyars, Slavs, Latins could be made only at the expense of the former *beati possidentes*, the Germans.

HERM. SCHOENFELD.

*Pacific Blockade.* By ALBERT E. HOGAN, LL.D. (Oxford: Clarendon Press. 1908. Pp. 183.)

In this book the author has discussed a minor topic of international law, fully, fairly and ably. It is the only treatise in English exclusively upon this subject. As the entire body of the law becomes more complex and more bulky, it is desirable that single topics shall be thoroughly worked over rather than general treatises multiplied.

In another particular also the author deserves well of his readers. By a clearly marked division of his matter, he furnishes on the one hand the history of the twenty-one cases of blockade claimed to be pacific, including the official notices of most of them; on the other he gives the arguments pro and con as to this somewhat new form of international coercion, together with what he deems the conclusions fairly drawn from the facts cited. This union of theory and precedent is the ideal treatment for a question in international law.

Briefly the author's views are: that pacific blockade—which is the right to blockade the ports of another state in time of peace and without war necessarily resulting—is too new a practice to have become as yet entirely regularized and its rules formulated; that the state blockaded as well as the blockader, but not the third powers affected, may decline to look upon a specific case of pacific blockade as consistent with peace, and may thus consider war to be a fact; that relief from the obligations of neutrality and of belligerency may make it advantageous to any one of the three interests above mentioned to accept the doctrine of pacific blockade; that, notice, effectiveness, days of grace, and so on, are to be observed much as in ordinary blockade; that, unlike ordinary blockade, it may be limited to a certain commodity or a certain traffic, *e. g.*, slave trading; that, unlike ordinary blockade, the ships of third powers attempting to run a pacific blockade can only be turned back or at most detained, never seized and confiscated as if war existed; that this kind of coercion is better than war for all parties, and thus, in spite of its lack of logic and long historical warrant, may well be used under more definite rules and regulations.

Except to a person somewhat prejudiced against the entire practice of pacific blockade, Mr. Hogan's fairminded, moderate statement of the case for it may seem very nearly convincing. Yet there are certain objections.

To allow absolutely unrestricted traffic through the lines of a pacific blockade to all ships of third states would in most cases make the blockade so ineffective as to be valueless. On the other hand to place any restriction at all in time of peace upon the commerce of one state with another is not legally permitted to a third state. To claim the privileges of a belligerent, yet declaring no war to exist, is illogical. There is scarcely any limit to the method of coercion which one state may apply to another. But such coercion must restrict the trade of third states only within certain well defined limits even in war.

So far as the application of a pacific blockade by A to B is concerned then, there is no vital objection. C and D, however, need not regard it. The leading modern text-writers, Hall included, say this. Palmerston admitted this in 1846 of the blockade of La Plata. Lord Granville in 1884, as against France in China, said the same. Finally *in re Venezuela* in 1902 Balfour replied to a question in Parliament, "I think it is very likely that the United States Government will think there can be no such thing as a pacific blockade, and I personally take the same view. Evidently a blockade does involve a state of war" (p. 156). Add to these expressions and opinions the fact that the Institut de Droit International, in 1887, adopted a declaration, that in case of pacific blockade the neutral must be allowed to pass it freely, and one is more inclined to argue that the practice is passing away than to agree with Mr. Hogan in seeking to make it regular and legitimate and to

forbid the passage, though not allowing the seizure, of ships of third states. It would appear that this is not a misstatement of the author's position, for he declares (p. 67), "it may therefore be laid down with some degree of assurance that the proper treatment of vessels of third states which attempt to violate a pacific blockade is in any case to turn them away, and perhaps also to detain them until the ends for which the pacific blockade was instituted have been attained and the blockade itself raised".

Yet a little later (p. 71) in his conclusions we are told that "Vessels flying the flag of any state other than those blockading or blockaded may not be interfered with except—(a) In cases where the blockade has been instituted by the concert of Europe; (b) with the consent of the state whose flag they fly, such consent to be implied in the absence of any protest from such state."

It is a pity that the author is not clearer, is not less inconsistent, on this point, for it is the crux of the whole matter.

As for his opinion that the usage of the European concert can make legitimate a doctrine, if that doctrine be in itself illogical and illegitimate, we in America may well disregard it.

T. S. WOOLSEY.

#### BOOKS OF AMERICAN HISTORY

*Acts of the Privy Council of England, Colonial Series.* Volume I., A. D. 1613-1680. Edited through the direction of the Lord President of the Council by W. L. GRANT, M.A., Beit Lecturer in Colonial History in the University of Oxford, and JAMES MUNRO, M.A., University Assistant in History in the University of Edinburgh, under the general supervision of ALMERIC W. FITZROY, C.V.O., Clerk of the Privy Council. (London: Wyman and Sons. 1908. Pp. xxxix, 930.)

AMONG the publications of the British government no single undertaking is likely to be of greater importance to the student of colonial history and policy than the series of *Acts of the Privy Council, Colonial*, of which the first volume is now before us. When completed, the five volumes, covering the period from 1613 to 1783, will be as indispensable as are the *Calendars of State Papers* or the *Reports of the Historical Manuscripts Commission*, and will take their place in the same class as the *Journals of the Continental Congress*. Their value will lie not so much in the additional information furnished as in the view they will give of the Privy Council at work and of the business that came into its hands for adjustment or adjudication. Records of this character, such as the journals of the Board of Trade or the minutes of the Lords Commissioners of the Treasury, are often meagre in all that relates to details of colonial administration. Their entries are fre-

quently imperfect and incomplete and in some respects of almost no value at all. Business that is known to have come before these boards is passed by entirely, and occasionally recorded business can be studied to better advantage in other collections of papers. Nevertheless entries of this kind, furnishing as they do a comprehensive view of a board's activity for many years, are often the only means whereby information can be obtained of the essential features of a state's administrative policy. Speeches in Parliament, dispatches of the secretary of state, or the writings of pamphleteers do not supply the knowledge that can be gained from following the routine proceedings of an important governmental body. We venture to think that one studying the actual work of the Privy Council, in this volume for seventy years, in the whole series for one hundred and seventy, will begin to see some aspects of colonial history in a new light, and one duty of the student in the future will be to take his place among the Lords of the Council, to watch them at work for one hundred and seventy years, and to trace the history and application of the principles that governed their action.

Though of secondary importance the extent and value of the information furnished is not to be decried. In the pages of the volume before us there is a great deal of detailed narrative that relates to the continental and West Indian colonies, to Hudson's Bay and to South America. Scores of entries relate to the fisheries, the tobacco industry, plantation trade, merchant shipping, transportation of criminals, and the operation of the navigation acts. Many governors' commissions are given in full, details will be found of the annulling of the charter of the Virginia Company and of the attempted vacation of that of the Massachusetts Bay Company. A full draft is given of the proposed act of incorporation of Virginia in 1638 and of the charter of 1675. Letters to the governors from the Council and petitions to the Council from all sorts of people bulk large in the volume. Manifests and cargoes of ships are entered with great minuteness, and after 1660 many reports from subordinate councils and from committees of the board are entered at length. The information thus presented is valuable in itself and very considerable in the total amount.

For the inception of this work we are in the first instance indebted to Mr. Almeric W. FitzRoy, Clerk of the Council. He deserves the thanks of every student of colonial history, for it was he who persuaded the Lords of the Treasury to meet the expense of printing and binding the volumes. The expense of transcribing and editing is being met by international co-operation—Professor Egerton of the University of Oxford, the Carnegie Foundation of Scotland, the Canadian Government, the American Historical Association, and private individuals and societies in America subscribing the requisite amount for two years. Messrs. Grant and Munro, the editors, have done their work with excellent judgment and great thoroughness and in text and preface have

left little to be desired. Prefaces to such volumes are never very important, because the student will study the text himself and will draw therefrom his own conclusions. Three mistakes in names occur that ought to have been avoided: the American Historical Society for the American Historical Association, Mackay for Macray, and "Miss Gertrude Kingsbury", a composite which those familiar with the work of the ladies in question will readily reduce to its original elements.

CHARLES M. ANDREWS.

*The Mystery of the Pinckney Draught.* By CHARLES C. NOTT, formerly Chief-Justice of the United States Court of Claims. (New York: The Century Company. 1908. Pp. 334.)

It is to be regretted that so much time and labor, by a man of such ability as Judge Nott, should have been wasted in a mistaken cause—the rehabilitation of the discredited Pinckney Plan. To every student of the subject it is well known: that on May 29, 1787, Charles Pinckney presented to the Federal Convention "the draft of a federal government to be agreed upon between the free and independent states of America"; that the records note simply its submission to the Convention, its reference on the same day to the Committee of the Whole House, and its subsequent reference to the Committee of Detail; and that when John Quincy Adams in 1818 applied to Pinckney for a copy of the missing plan he received in reply a document so strikingly similar to the draught of a constitution reported by the Committee of Detail on August 6 that it was evident one document must have been taken from the other. The conclusion has been almost universally unfavorable to Pinckney. In the present work the author takes the other side, and in an elaborate argument declares that the original Pinckney Plan is lost to the world because it was used as "printer's copy" by the Committee of Detail.

The most serious difficulty with the argument here presented is the frequent begging of the question. Of course, if the document sent to Adams is accepted as practically "all that Pinckney represented it to be", it is easy enough to prove that Pinckney is to be regarded as the master builder of the Constitution. But something more is needed than the reiterated statement that the document is what it purports to be and that it must be so because it is inconceivable that Pinckney should have put forward a document that the members of the Convention still living could have disproven so easily.

Another objection is the looseness of the author's method of reasoning. As an illustration of this, take his use of the pamphlet *Observations*, printed by Pinckney immediately after the Convention was over. In a chapter or more devoted to it, Judge Nott recognizes the discrepancy between the plan described in the *Observations* and the document sent to Adams, and he argues that the *Observations* do not refer to the plan presented to the Convention, but may have described one "of

the 4 or 5 draughts" Pinckney stated that he had in his possession. The author concludes therefore that "the supposed value of the *Observations* as evidence to impeach the integrity of the draught in the State Department is blown to pieces" (p. 132). Later, however, he uses the *Observations* to support the genuineness of the Adams document: "When Pinckney described in the *Observations* the draught which he was subsequently to present to the Convention he thereby described the draught which he was ultimately to place in the Department of State" (p. 274). One feels inclined to quote to the author his own statement that "The *Observations* seem to have been . . . fatal to whichever party relied upon them" (p. 141).

These criticisms lie upon the surface, but to one who is familiar with the documents in the case the author has laid himself open to more serious criticism. Although he refers to the discovery of certain documents among the Wilson Papers by Professors Jameson and McLaughlin, he makes no reference whatever to the cogent arguments presented at the time those documents were printed to show that they were extracts from and an outline of the original Pinckney Plan, and are at variance with the document sent to Adams.

With the materials at our command it is quite possible to reconstruct, in outline form at least, the original Pinckney Plan. The plan so reconstructed conforms exactly to the outline and extracts found among the Wilson Papers and is in marked variance to the Adams document. To the unprejudiced student this is a much more acceptable method of procedure and reaches a more satisfactory conclusion than can be obtained by any attempt to reconcile the discrepancies between the Adams document and the authenticated opinions of Pinckney. It is altogether probable, therefore, that in the light of our present knowledge the last word on the subject has been uttered by Professor Jameson: "It is not possible to say that Pinckney answered Adams's request by sitting down and copying the printed report of the Committee of Detail, paraphrasing to a small extent here and there, and interweaving as he went along some of the best-remembered features of his own plan. But it is possible to declare that if he had done this the result would have been precisely like that which in fact he sent on to Washington."

The writer of this review has long been convinced that Madison was distinctly unfair to Pinckney in his Notes of the Debates. He believes also that Pinckney has never been given due credit for the part he took in the framing of our Constitution. Pinckney was not a great constructive statesman, but in the work of the Convention he rendered valuable service in formulating many of the details embodied in the Constitution. It was not so much a new instrument of government that Pinckney framed in his original plan as it was a revision of the Articles of Confederation. In the preparation of his plan Pinckney drew extensively upon the Articles of Confederation and the various state consti-

tutions, especially that of New York. A number of these provisions were used by the Committee of Detail in formulating its draft of a constitution and in the course of the debates Pinckney suggested many things that were accepted by the Convention. But, as already stated, these provisions were mainly in the nature of modifications in phrasing and wording, or suggestions of new details. If these things be true, it is not so greatly to be wondered at that thirty years later Pinckney, remembering that his plan had been used by the Committee of Detail, should have ascribed more credit to himself than he deserved and could write to Adams that "my plan was substantially adopted in the sequel". If Judge Nott had only devoted himself to the determination of those things for which the Constitution is unquestionably indebted to Pinckney instead of claiming too much for him, he would have rendered a genuine service to historical study.

MAX FARRAND.

*The Works of James Buchanan, comprising his Speeches, State Papers and Private Correspondence.* Collected and edited by JOHN BASSETT MOORE. Volumes V. and VI., 1841-1844, 1844-1846. (Philadelphia and London: J. B. Lippincott and Company. 1909. Pp. viii, 514; xvii, 509.)

THE fifth volume of Professor Moore's edition of Buchanan's writings finds Buchanan still in the United States Senate, where his continued membership of the Committee on Foreign Relations and Committee on Manufactures brought him into close contact with many of the most pressing questions of the time, and led him frequently into debate. If his career was as yet hardly distinguished, it was at least dignified and consistently serious. A strong party man, he lost no opportunity to attack the Whigs: in 1841, for example, he spoke strongly against the proposed Fiscal Bank and the later Fiscal Corporation, and defended Tyler's vetoes of those measures. "The veto power", he declared, "is that feature of our Constitution which is most conservative of the rights of the States and the rights of the people" (V. 139). In the field of finance we find him urging, in March, 1842, the immediate resumption of specie payments in the District of Columbia, and in April opposing a bill to pay to the states the proceeds of public land sales. His strong state-rights attitude led him to fear and oppose centralization, a position which he set forth in May, 1842, in an elaborate constitutional argument against a bill authorizing the transfer of criminal causes from state to federal courts. The proposal to refund to Jackson the amount of the fine imposed upon him by Judge Hall in the Louailier case had, naturally, Buchanan's warm support.

The great issues of the period covered by these volumes, however, were those of the northeastern and northwestern boundaries and the annexation of Texas. Buchanan voted against the Ashburton treaty,

on the ground that it was unjust to Maine and, as a whole, an unsatisfactory settlement. In the matter of Oregon, he supported the proposal in 1844 to terminate the agreement with Great Britain for joint occupancy of the disputed territory.

Buchanan was already a presidential possibility, and after his reelection to the Senate in 1843 was increasingly talked of in that connection. His private letters, still very few in number, show him willing to take, but unwilling to seek, the office. In May, 1844, he found the outlook gloomy: the Democratic party was "in a sad condition" on account of Texas; Van Buren could not be elected if nominated, while the Whigs appeared sure of electing Clay. He had already, the previous December, announced his withdrawal as a candidate in the interest of harmony; but now, in case Van Buren withdrew or could not be nominated, he was willing to stand. The nomination of Polk he looked upon as expedient, prophesied a Democratic victory, and promptly extended congratulations after the result was known; but he plainly was not enthusiastic. He urged upon Polk the recognition of the younger Democrats, and hoped that Calhoun, whom he regarded as the chief obstacle in Polk's path, would retire or else accept the English mission.

Buchanan's reward came in his appointment as Secretary of State. In June, 1844, he had declared in the course of a long speech that the annexation of Texas by treaty would violate neither our political nor our moral obligations to Mexico; and he reiterated his views three days before Polk tendered him the secretaryship. The larger part of volume VI., from page 118 to the end, is devoted to Buchanan's diplomatic correspondence, including such parts of Polk's messages as presumably were written by Buchanan. While the correspondence naturally adds somewhat to our knowledge of details, it does not alter the accepted view of Buchanan's work as secretary, in regard to which the main facts are already well known. It is to be noted that Professor Moore, reprinting the dispatches from the manuscripts, has rather often to point out here, as in earlier volumes, the errancy of Curtis's work.

WILLIAM MACDONALD.

*Old Times on the Upper Mississippi: The Recollections of a Steamboat Pilot from 1854 to 1863.* By GEORGE BYRON MERRICK. (Cleveland: Arthur H. Clark Company. 1909. Pp. 323.)

THIS is a good book but not well-named. It relates the experiences of an Upper Mississippi river-man during a period so recent as the decade from 1854 to 1864, and has therefore value only as description of the era when the steamboat prevailed at its liveliest. The steamboat was well established on the Mississippi before 1820. Of its earlier activity we have here no first-hand account. Much less is there any account of the many years that went before, the eras of the flat-boat and the canoe. But Mr. Merrick, a river-veteran still living we pre-

sume, records in excellent fashion the life he actually experienced—the middle period namely, between the age of the flat-boat man, and the age in which the locomotive, dominating all, has made the river almost as solitary as it was in primeval days. Mr. Merrick's family were whalers from Nantucket, and he had all the vigor and Yankee enterprise of his stock. Beginning as pantry-boy on the Mississippi, he early reached a thorough understanding of all things pertaining to river-navigation, discharging himself almost every possible function, in every post apparently happy and thoroughly capable. Mr. Merrick, in later life an editor, tells his story with a practised pen, and we know of no better account, from the inside, of steamboating. All that pertained to the work of commander, pilot, engineer, clerk, steward and roustabout, the boats themselves, their ownership, number, machinery and management—all is described vividly and in detail; while formal statistics as to all economical aspects of the matter are contributed with satisfactory fullness.

Mr. Merrick is a good story-teller, and we think his best effort of this kind, as regards both picturesqueness and historical interest, is the account of getting to the front, in April, 1861, Sherman's Flying Artillery, perhaps the most famous organization in the old army, stationed at the time at Fort Ridgely, high up the Minnesota River. The *Fanny Harris*, the largest boat which had ever gone up the stream, received the battery on board, its commander then being no other than John C. Pemberton of Pennsylvania, at first a loyal Union officer, though afterwards the Confederate lieutenant-general at Vicksburg: his lieutenant was Romeyn B. Ayres, than whom no Federal officer of the Civil War was braver. The river was at flood, the perils of navigation great; but the emergency was pressing. The *Fanny Harris* dashed on at full speed, sometimes in the tortuous channel, sometimes crashing through narrow barriers of land into inundated bottoms and even woods, the battery-men meantime exclaiming that the risk to life in battle was far less than among those pouring waters. The feat however was accomplished—three hundred miles down the torrent in two days. The boat was almost stripped of smoke-stacks, light upper-work, in great part of her guards; but the battery was delivered, guns and men, at Prairie du Chien, then the railroad terminus, whence its passage was easy to the firing-line.

The book is beautifully printed and illustrated, and is altogether a useful and attractive presentment of a noteworthy development that came and went—and possibly in some of its phases may come again.

JAMES K. HOSMER.

#### MINOR NOTICES

*Historical and Political Essays.* By William Edward Hartpole Lecky. (London and New York, Longmans, 1908, pp. iv, 324.) In collecting into a volume fourteen essays, reviews, and addresses, pub-

lished by Mr. Lecky at different times, Mrs. Lecky has carried out her husband's purpose, and has compiled a book of considerable value. The more abstract essays, *Thoughts on History*, and *The Political Value of History*, are indeed sometimes commonplace, but the biographical papers are of a high order. They contain skilful analyses of the characters of Madame de Staël, Sir Robert Peel, Mr. Henry Reeve, editor of the *Edinburgh Review*, Dean Milman, Queen Victoria, and the Fifteenth Earl of Derby—the last a bit of masterly portraiture. In the autobiographical paper on *Formative Influences*, the historian while acknowledging indebtedness to the writings of Bishop Butler, to Whately, Bayle and others, reveals his strong natural bent in the direction that he later followed. While still a student at Trinity, he threw himself “with intense eagerness into a long course of private reading, chiefly relating to the formation and history of opinions”, which bore fruit in his *History of the Spirit of Rationalism in Europe*. The remaining papers are a review of M. Anatole Leroy-Beaulieu's *Israel among the Nations*; Carlyle's Message to his Age; a discussion of *The Empire: its Value and its Growth*, in which it is characteristically concluded that the true bond of imperial union must be mainly a moral one; *Ireland in the Light of History*, a severe indictment of the Home Rule movement, and *Old Age Pensions*.

Some of these essays seem to be written from the standpoint of the controversialist rather than of the historian, but the book as a whole well repays perusal both for its matter and for its literary style.

*The Historical Association: Leaflets.* [Offices of the Association, 6 South Square, Gray's Inn, London.] A dozen leaflets, of from four to fifteen pages each, issued by the Historical Association, whose aims were stated in an earlier number of this REVIEW (XII. 194), have been brought together into a little volume that will be of practical value to teachers in American as well as in British schools. The leaflets consist of addresses on the Teaching of History in Schools, delivered by the Right Hon. James Bryce at the first annual meeting of the Association in 1907, and by Dr. Thomas Hodgkin, at the second annual meeting; of a paper and discussion on the Teaching of Local History; of a Summary of Historical Examinations affecting Schools, including Matriculation Examinations and Entrance Scholarships; of several bibliographies, of which one relates to Source-Books, one to Books on the Teaching of History in Schools, one to general history, one to the city of Exeter, and the others to British, including colonial, history. The last leaflet is an account of illustrations, portraits and lantern slides available for use in historical teaching, especially in teaching British and modern history. The bibliographies are mostly not mere lists of books, but descriptive accounts of the literature of the subject. The leaflet on Supplementary Reading refers to many inexpensive reprints

of original authorities, some of which are not, we believe, widely known in this country. To the list of works on the teaching of history in France should be added *L'Histoire dans l'Enseignement Secondaire*, by Charles Seignobos (Paris, Colin, 1906) and even the briefest list of works on British Colonial Policy should include Dr. G. L. Beer's contributions to that subject. It is gratifying to note the appreciative references to the efforts of American teachers directed towards the improvement of historical instruction in schools.

*Western Asia in the Days of Sargon of Assyria, 722-705 B. C.* By A. T. Olmstead, Ph.D. [Cornell Studies in History and Political Science, volume II.] (New York, Henry Holt and Company, 1908, pp. vii, 192.) This little volume is notable in more than one respect. It is the first attempt to reconstruct on clear and definite lines and on a broad basis the history of an important period of the Assyrian empire. The historical sketches hitherto written have either been studies of one or two aspects of a period, or else they have aimed to cover the whole of Assyrian history, while as yet the documentary sources had not all been brought together, and those attainable were hurriedly collated and made to tell prematurely a consistent story. Furthermore the credibility of the historical annals has usually been too largely taken for granted. While they are immensely more reliable than the records of the Pharaohs, they are marred by exaggerating the merits or exploits of the monarchs whom they celebrate, and by concealing their failures and defects or by turning them into successes and victories. Moreover these so-called historical inscriptions confine themselves almost exclusively to a very few classes of facts, the conventional order of the narrative being an introductory eulogium of the king in question, next an account of his uniformly successful campaigns, battles, victories, conquests and annexations of territory, followed perhaps by illustrations of his prowess as a hunter, and finally by descriptions of his architectural and other public achievements. Fortunately the number of the inscriptions that are less one-sided and exclusive, and of unquestionable accuracy, such as business documents of all kinds, reports of officials, charters of cities, statutes and proclamations and personal letters, has been rapidly increasing in recent years; and these may now be drawn upon for the purpose of filling out the *lacunae* left by the more pretentious but less accurate memoirs of royalty.

Constant use has been made by Dr. Olmstead of these sources to check and supplement the historical data already accessible to the interested public. The reign of Sargon fell in that most interesting period of Asiatic history which saw the world empire of Assyria firmly established in accordance with the policy of his second predecessor, the great Tiglathpileser III. The range of his solid achievements may be indicated by two well-known names: Samaria, some of whose people (the

famous "Lost Tribes") were deported at the beginning of his reign, and Babylon, whose permanent subjection was only made possible by its conquest under him and the ejection of Merodach Baladan the famous Chaldaean, the friend and ally of Hezekiah of Judah. The treatment of these and the other enterprises of Sargon by Dr. Olmstead is thorough and generally judicious. It is true that he has raised more questions than he has been able to settle; and it is disappointing that chapter VII., the most interesting of the book, does not furnish a complete account of the conquest and organization of Babylonia. But for these defects he is not to be blamed, since the records and geographical data are as yet inadequate. Chapter IX., "The Culture Life", is a very valuable addition to the discussions of political and military topics which form the bulk of the book. An index to the work should have been given.

J. F. McCURDY.

*Les Catacombes de Rome.* Par Maurice Besnier, Professeur à l'Université de Caen. (Paris, Ernest Leroux, 1909, pp. 290.) The aim of this work is to give a brief account of the results of the last half-century of critical and archaeological study of the Christian catacombs of Rome. The author offers no new facts or theories and confines his narrative to things about which all students of the subject are agreed. As may be inferred from the size of the book the manner of treatment is concise but it is nevertheless sufficiently detailed to enable one to appreciate fully all that has been written in works of a more technical character. The subject-matter is dealt with under three heads: History, Description, Art of the Catacombs. As an introduction to the history of the construction of the catacombs in the ages of persecution and their abandonment in the early Middle Ages, the author gives an account of their discovery and exploration in modern times. Here he touches on the character of the writings of the later explorers and archaeologists and is especially felicitous in his summary of the life and works of De Rossi. The description of the catacombs is of a general character, specific details being given about only a few of the more important and better known—Callixtus, Lucina, etc. In the chapter on the art of the catacombs the author points out the place this occupies in the general history of the subject and calls attention to the characteristics of the painting and sculpture of these subterranean refuges. From every point of view the work is an excellent introduction to the literature and history of the catacombs. The illustrations, twenty in number, are a valuable addition to the text and the bibliography though not extensive is well chosen. The extreme cautiousness of the author carries him too far in not allowing him to accept unreservedly the Hippolytan authorship of the *Philosophumena* (pp. 128, 150).

P. J. HEALY.

*Populäre Aufsätze.* Von Karl Krumbacher. (Leipzig, B. G. Teubner, 1909, pp. xii, 388.) This collection of twenty-four essays, bearing dates from 1885 to 1908, is divided into four groups: Linguistic; Literary; Historical; and Miscellaneous. Made accessible to a wider public these are a help in estimating a writer justly recognized everywhere as a leading authority on medieval and Byzantine history and literature. His personal equation must be reckoned with. Thus the first article: *Das Problem der neugriechischen Schriftsprache* (1902) is a partisan attack on the language now in use among the modern Greeks. Krumbacher does not refer in his notes to the elaborate reply (*Die Sprachfrage in Griechenland*, 1905) made by G. N. Hatzidakis, then rector of the University of Athens and long recognized at home and abroad for his sound sense and wide philological training. Krumbacher would lead the reader, unfamiliar with modern Greek, to suppose that the language established was a purely artificial attempt to revive ancient Greek intact, instead of a necessary and judicious compromise. Much of the chimerical Atticizing formerly attempted is doomed and, in the vocabulary, many further concessions to popular speech are inevitable, but it is inconsistent with the facts to call it a "mummified" speech.

Four of the five historical articles had as nucleus reviews of recent publications. *Kaiser Justinian* (1901) was called forth by Diehl's *Justinien et la Civilisation Byzantine au VI<sup>e</sup> Siècle*. Krumbacher, while thinking Diehl unduly severe in applying modern scientific standards to the famous *Corpus*, feels that his "Justinian" brings us "immeasurably nearer" to a realization of the sixth century and the whole early Byzantine history. (Compare Krumbacher's own vivid account, in No. 14, of Nikephoros Phokas, conqueror of Crete and emperor in the tenth century.)

No. 13 was likewise called forth (1892) by Bury's *History of the Later Roman Empire*. The author agrees with Bury that, strictly speaking, there never was a "Byzantine" Empire, but the term is too useful to be banished. With his discussion (p. 176) of the "Latin-heathen" and the "Greek-Christian" periods, a favorite topic of his, may be read (No. 17, p. 231) his introduction to the new (1892) *Byzantinische Zeitschrift* of which he is editor.

No. 15, *Athen in den dunklen Jahrhunderten* (1889), is a short review of Gregorovius's *History of Athens in the Middle Ages*. With this compare No. 21, Frederic Gregorovius (1891), which is a sympathetic but discriminating biography.

No. 16 is an examination of Chamberlain's *Grundlagen des neunzehnten Jahrhunderts* (1900). Despite his severe criticism of Chamberlain's arbitrary and inconsistent "race" classification (*i. e.*, German = German-Slavic-Celtic), his complete silence about the French and his injustice to the Italians, Krumbacher seems to see something epoch-making in the book. With this should be read No. 24, *Die Kulturwelt*

*des Slawischen*, etc. (1908). The present and the future is partitioned among the Germans, the Latins and the Slavs. His purpose is to urge the study of the Slavic language because it both penetrates German lands and is necessary for whole chapters, as yet unwritten, of central and west European history. Space forbids a notice of the other articles.

FRANCIS G. ALLINSON.

*The Storming of London and the Thames Valley Campaign: A Military Study of the Conquest of Britain by the Angles.* By Major P. T. Godsall. (London, Harrison and Sons, 1908, pp. xxxv, 288.) Major Godsall's work is an attempt to reconstruct the story of the Anglo-Saxon conquest on the basis of "military principles" and a study of topography and place-names. The conquest, he believes, was undertaken and carried on by a highly organized nation, the Angles, occupying the Baltic shores from Sweden to the Elbe. Their neighbors, the Saxons, played a merely subordinate part as allies. In the fifth century the centre of Anglian power was the "old tun", Altona, and the embarkation was probably from the Havenburh, now Hamburg. The principal line of military progress was from Thanet to London and up the Thames valley to the Chiltern Hills and beyond. The campaign is described with considerable minuteness and illustrated by a series of interesting maps. There is no mention in any known source of a "storming of London" in this connection, but Major Godsall assures us that such an event must have occurred and is amazed to find that no one has recorded this the "greatest war-stroke of history" (p. 64). The principal point of attack he locates at a certain gate which because of the sword-play has since been called Billingsgate. The entire work is a series of conjectures and inferences, some of them quite plausible, but most of them highly improbable. To these conjectures the author gives the value of established facts. In closing his discussion of the Cowey Stakes he defends his method in the following startling sentence: "Archaeologists are challenged to disprove the conclusion here arrived at, and are called upon to state who could have placed the stakes in the Thames at Cowey if Ambrosius did not" (p. 115). Evidently such a work can not be regarded as serious history. It rather belongs in that class of writings that we sometimes call historical fiction.

LAURENCE M. LARSON.

*The Law and Custom of the Constitution.* By Sir William R. Anson, Bart., D.C.L., Warden of All Souls College, Oxford. Third edition. In three volumes. Volume II., *The Crown*, Part II. (Oxford, Clarendon Press, 1908, pp. xxiv, 347.) Fifteen years have made not a few changes in those portions of the British Constitution which fall to be described within the present volume. It embraces six chapters, the last six of the original volume on the Crown, of which the first four have been reissued in a volume recently reviewed in these pages (XIII. 632).

The six chapters of the present volume are those on the Dominions and Dependencies of the Crown, the Crown and Foreign Relations, the Revenues of the Crown and their Expenditure, the Armed Forces of the Crown, the Crown and the Churches, and the Crown and the Courts. The revision effected has been thoroughgoing. In particular, there is a fuller treatment of the parish in connection with the Local Government Act of 1894; the effects of that act, of the Education Act of 1902, of the Australian Commonwealth Constitution Act of 1900, of the Orders in Council of 1895 and 1901 respecting the office of the commander-in-chief and the letters patent of 1904 which substituted for that official the army council, of the Criminal Appeal Act of 1907, of the judgment in the case of the Free Church of Scotland *vs.* Lord Overtoun in 1904, and of the Territorial and Reserve Forces Act of 1907, so far as its effects can yet be described, are duly set forth and carefully woven into the fabric of the original volume. There is also a more developed statement of constitutional practice respecting cession of territory without recourse to Parliament, apropos of the cession of Helgoland in 1890 and the Anglo-French convention of 1904. But besides these major alterations there are many minor instances of revision. The careful thought, moderation of judgment and lucidity of expression which characterized the first edition are still seen in all parts of the present reissue.

*Transactions of the Royal Historical Society.* Third Series, volume II. (London, The Society, 1908, pp. vii, 294.) Compared with most of the preceding volumes of *Transactions*, the volume under review has a restricted range. Except for the presidential address, and the continuation of Sir Henry Howorth's paper on The Rise of Gaius Julius Caesar, with an Account of his Early Friends, Enemies and Rivals, all the papers relate either to the social and political history of the Tudor period, or to the political history of the twenty-eight years from 1746 to 1774. The Rev. Dr. Hunt's presidential address is mostly concerned with a manuscript diary, written by Denys Scully, a shrewd observer of men, who describes his visit to London in 1805 as a member of a deputation from the Irish Catholics to petition Parliament for relief from their disabilities. Sir Henry Howorth continues his story of Caesar from the time of his appointment as pontiff and tribune—not military but civilian tribune, it is argued. Since Caesar's career can be understood only in the light of that of some of his notable contemporaries, nearly the whole paper is devoted to a lively narrative of the deeds of Pompey, Sertorius and Lucullus. Incidentally, the writer commends the historian Ferrero, whose recent work in this same field has been rated so diversely. In Professor C. H. Firth's article on The Ballad History of the Reigns of Henry VII. and Henry VIII., the author pursues the line of investigation of popular opinion and feeling that he followed in his work on *Naval Songs and Ballads*, recently reviewed in this journal

(XIV. 170), and in the pages of the *Scottish Historical Review*. The Eclipse of the Yorkes, by Mr. Basil Williams, is based almost exclusively on a volume of memoirs and letters relating to the history of the Yorke family between 1760 and 1770, formerly belonging to the manuscript collections of the first two Earls of Hardwicke and now preserved in the British Museum as Additional MS. 35428. Miss Evelyn Fox gives extracts from The Dairy of an Elizabethan Gentlewoman, another British Museum MS., Egerton 2614, with a brief account of the writer, Margaret, Lady Hoby. Miss Fox purposes to edit the complete text, which illustrates very well the occupations and sentiments of a Puritan country gentlewoman of that time. Mr. Charles Cotton discusses the Bardon Papers, a collection of contemporary documents (MS. Egerton 2124), relating to the trial of Mary, Queen of Scots, which, he believes, show that the proof on which the prosecution relied for conviction "had been carefully manipulated by the astute wirepullers in Walsingham's office". In his account of the Siege of Madras in 1746 and the Action of La Bourdonnais, G. W. Forrest brings to notice two important documents: the Diary of Ranga Pillai, "the broker who transacted business with the natives for the Pondicherry government", and a document that seems to prove that La Bourdonnais received a large sum of money from the English in return for the restoration of Madras. Of especial interest to American readers is the brilliant Alexander Prize Essay on the Peace of Paris, 1763, by Miss Kate Hotblack, who supports Pitt's view, which is not that of most modern historians, that the Peace was inadequate. Taken as a whole, the volume, based largely as it is upon new materials, has much freshness of interest and is a valuable contribution to historical learning.

*A History of the English Agricultural Labourer.* By Dr. W. Hasbach, Professor of Political Economy in the University of Kiel. Newly edited by the author and translated by Ruth Kenyon, with a preface by Sidney Webb, LL.B. (London, P. S. King and Son, 1908, pp. xvi, 470.) It is a satisfaction to see this useful work in a new edition, in an English dress, and provided with a preface by an English Socialist calling attention to its special applicability to the solution of present-day problems. The work, although published in Germany in 1894, has never been well known in England, nor have its results worked themselves into later writing nor into commonplace knowledge on the subject, as it is to be hoped they will now do. There is no doubt that this is history "written with a purpose". Indeed the concluding chapter is rather a prophecy of the probable reintroduction of peasant ownership and occupation of the land, based on what is desirable, than a generalization from the results of investigation. Nevertheless, the book is written mainly under the influence of rigorous German historical methods; and, besides, English landholding has been so vulnerable to criticism that its history has always been written with more or less animus, and this work therefore follows precedent.

The general plan of the book is threefold, first, the development of a class of free laborers out of the serfs of the Middle Ages, second, the progressive demoralization of this free "agricultural proletariat", and, third, late nineteenth and early twentieth century attempts to restore the prosperity of the agricultural laborers. The most original and important of these sections from a purely historical point of view, is the second. The first is drawn practically altogether from secondary writers, though Dr. Hasbach has used them, except in a few points, with a fullness and discrimination not elsewhere equalled. The second and largest share of the book is however drawn from purely contemporary sources and consists of a careful account of the demoralization of the lower strata of the agricultural classes, through the completion of enclosures, the dissolution of the commons, the growth of large farms, and other economic changes, and the unrestricted application of the laissez-faire idea to this part of the social economy. The last three chapters describe the tentative movements toward the creation of a new body of small holders. There are several appendices of a scientifically accurate character and, within the bounds of the general subjects mentioned above, a great body of extremely interesting and suggestive historical material.

E. P. CHEYNEY.

*De Tresorie en Kanselarij van de Graven van Holland en Zeeland uit het Henegouwsche en Beyersche Huis.* Door Jhr. Mr. Th. van Riemsdijk. (Hague, Nijhoff, 1908, pp. xx, 755.) This is a careful study of the two chief administrative departments of Holland and Zeeland from the accession of the house of Hainaut in 1299 to the close of the regency of Philip the Good in 1433. Although foreign repositories of documents have been used to some extent, the investigation is based primarily upon the account-books of the court and the great series of the counts' registers preserved in the Rijksarchief at the Hague, a body of sources which makes it possible to trace the history of the treasury and chancery with a degree of detail which can rarely be attained elsewhere in this period. The topics are followed reign by reign, and lists of clerks and other officers are given. A good deal of information is also given respecting the diplomatic side of the chancery, although such matters are not always treated with the thoroughness that one might desire. About half the volume is given to the publication of documents and extracts from accounts and to an elaborate description of the registers volume by volume. Apart from its local importance, Dr. van Riemsdijk's monograph contains material of value to the student of the growth of bureaucracy in the later Middle Ages, and makes clearer the conditions which preceded the remarkable work of the Burgundian princes in the organization of an administrative system in the Low Countries.

C. H. H.

*Auto de Fé and Jew.* By Elkan Nathan Adler, Corresponding Member of the Royal Academy of History of Spain. (London and New York, Oxford University Press, 1908, pp. 195.) Bound together with this is a pamphlet of 37 pages by the same author on "The Inquisition in Peru", reprinted from the *Publications of the American Jewish Historical Society*, no. 12. About one-third of the *Auto de Fé and Jew* is devoted to an extended review and laudatory criticism of H. C. Lea's *History of the Inquisition in Spain*. The greater part of the remaining pages appeared in a series of articles in the *Jewish Quarterly Review*. They contain a greatly condensed history of the Jews in Spain and Portugal and, what is by far the most valuable portion of the book, lists covering fifty pages giving statistics of nearly two thousand *autos de fé* celebrated in Spain and Portugal and in the colonies of those countries. The date and the place and in some cases the number of victims is given, with an estimate of the proportion of Jews. Several miscellaneous but related matters are treated. Fifteen pages are occupied by a bibliography. The book shows extensive and careful research. It is not entirely free from errors. While it is of large interest and value by itself its principal use will be as a companion of Dr. Lea's great work.

*The Correspondence of Casper Schwenckfeld of Ossig and the Landgrave Philip of Hesse, 1535-1561.* Edited from the Sources with Historical and Biographical Notes, by James Leslie French, Instructor in the University of Michigan. (Leipzig, Breitkopf and Härtel, 1908, pp. v, 107.) This booklet, though it tells us only that "the work on these letters was done while the writer was a fellow of Hartford Theological Seminary" and that "they were the basis of material submitted to that institution for the degree of Doctor of Philosophy", can hardly be other than a part of the *Corpus Schwenckfeldianorum* now in course of publication under the editorship of Dr. Hartranft. The publisher, the paper, the page, are identical, and the author's "foreword," dated at "Wolfenbüttel, Aug. 1, 1906," thanks Dr. Hartranft "for helpful suggestion and timely assistance and for free access to his marvellously rich collection of Schwenckfeld material at Wolfenbüttel". The seventeen letters—ten from Schwenckfeld to Philip, two from Philip to Schwenckfeld, with three from Philip to Melancthon regarding Schwenckfeld and a note of enclosure from Philip's secretary, Aitingier—range from 1535 to 1561. Most have already been printed, but in places so scattered and in a form so careless or so fragmentary that this collection, for the most part directly from the originals in the archives at Marburg, is most welcome. The work, though diligent, bears many marks of youth and haste.

G. L. B.

*A Survey of London by John Stow.* Reprinted from the Text of 1603. With Introduction and Notes by Charles Lethbridge Kingsford, M.A. In two volumes. (Oxford, Clarendon Press, 1908, pp. c, 352; 476.) Since its first publication there have appeared many editions of this quaint and valuable work. In most of these, additions and changes were made to bring it down to date in subject-matter and appearance. "The present edition, for the first time after three hundred years, makes Stow's true work generally accessible in the form in which he wrote it" (I. xliii). The only considerable difference remaining is in the type. "The not infrequent misprints and some obvious errors have been corrected, and it has been necessary at times to vary the punctuation. But otherwise the text now given follows faithfully the edition of 1603." (I. iii). It occupies pages xcv to c and 1 to 352 of the first volume and 1 to 229 of the second.

The editor's contributions occupy the first 94 pages of the first volume and the last 245 of the second. They are as follows: an introduction, of which 21 pages are devoted to a life of Stow and 15 to his *Survey*; notes on the Stow family documents illustrating Stow's life and letters to him, 25 pages; select dedications and epistles from his various works; a bibliography; and an account of Stow's collections of manuscripts. These precede the text. Following it 37 pages are devoted to variations of the first edition, that of 1598, from the text of 1603; 129 pages to notes, whose chief aim is to correct errors, to trace the sources of Stow's information, and to supplement and illustrate the text; 21 pages, to a useful glossary supplied by a collaborator of the editor; and 58 pages to three separate indexes having three columns to the page, the first index of persons, the second of places, and the third of subjects. A map of London about 1600 as Stow knew it, prepared by another collaborator, occupies a pocket under the cover of the second volume. No effort has been made by the present editor to complete Stow's history of the period or carry it beyond Stow's time. This inventory is sufficient evidence of the editor's extensive and careful work.

Stow spent eight years in the preparation of his *Survey*. He probably regarded it as a relaxation from his numerous more serious labors on English history and antiquities. But on it his title to fame now rests. "It is at once the summary of sixty observant years, and a vivid picture of London as he saw it" (I. xxix). "A careful perambulation of the several wards of the city furnished the main framework of the book. To this particular account there was prefixed a more general narrative dealing with the origins, the growth, and the social life of the city", (I. xxxvi). It is a sort of *Backefer's London* of the age of Elizabeth.

*De Hollandsche Handelscompagnieën der Zeventiende Eeuw: Hun Ontstaan, Hunne Inrichting.* Door Dr. S. van Brakel. (Hague, Nijhoff,

1908, pp. xxxiii, 189.) In the last generation, those who pursued the history of the Dutch commercial companies of the seventeenth century were mainly interested in the history of economic doctrine. This may be seen by perusing the appropriate portions of Van Rees's *Geschiedenis der Staathuishoudkunde in Nederland*, or De Laspeyres's *Volks-wirtschaftliche Anschauungen der Niederländer*. In recent years interest in those companies has been much revived, but it has been chiefly an interest in their forms of organization and the modern analogies to these. Professor Kernkamp in his *Stukken over de Noordsche Compagnie* (1898) and Mr. S. Muller in his studies in relation to the same company, have developed the peculiarities of the North Company and its analogy to modern trusts. Though Dr. van Brakel goes over the general ground of the early development of Dutch commerce and the origin and form of each of the important trading companies, the most interesting parts of his monograph are those in which he discusses the analogy to modern trusts presented by some of the earlier and looser aggregations, such as the North Company and the trading-group of 1614 for New Netherland, and the growth of joint-stock companies as a further development of the same process. Students of English commercial history of the same period will find themselves profited by comparing some of these associations and the *vaederijen* ("adventures") of which they were composed with the English East India Company and the separate stocks on which its earliest voyages were conducted. Dr. van Brakel's work is thorough, intelligent and discriminating.

*Sketches of Rulers of India.* By G. D. Oswell, M. A. Oxon, Principal of Rajkumar College, Raipur. Volume I. *The Mutiny Era and After.* Volume II. *The Company's Governors.* (Oxford, Clarendon Press, 1908, pp. xxviii, 171; 215.) These biographical essays are studies in the military and administrative history of India from Clive to Mayo. As is said in the prefaces, they are based on well known larger biographies, many of which are included in the *Rulers of India* series. It should be added that these earlier books are of varying value, and to attempt to estimate each essay in this work would necessitate reviews of books which already have been appraised. Here apparently no attempt has been made to bring out any new facts or indeed to make any general use of documents elsewhere available; and Mr. Oswell's work will therefore have small value for the investigator or for any well-informed reader of Indian history. The student of Warren Hastings will find a résumé of Trotter's *Life* and little to show that his use of Forrest's *Letters and Despatches* has been tested or supplemented; a similar criticism might be made of the chapter on Mount-stuart Elphinstone. In the essay on the relief of Lucknow and Sir Henry Havelock, 15 pages are given to the period prior to 1857, and barely 9 pages to the splendid climax which the title suggests. Here also it may be questioned whether Forrest's investigations have been utilized by the author.

Such comments, however, should not obscure the real value of these volumes, which is considerable. The author has set out to give in readable form brief accounts of men who founded and saved the Indian Empire. They are excellent studies in hero-worship for the boy who has or ought to have an interest in the history of the British Empire; and teachers of modern history will gladly add these books to their lists of collateral reading for undergraduate classes. Here we have a corrective to Macaulay's Hastings; American students can now be introduced in more convenient fashion to men like John Malcolm and Charles Metcalfe, to John Nicholson and Henry Lawrence. We have here, in addition to the men already mentioned, studies on Munro, Thomason, Colvin, Dalhousie, Canning, Clyde, Strathnairn and Lord Lawrence. But why was Wellesley omitted?

Taken as a whole there is a lack of discrimination in the estimates made; but the author's point of view is clear. He writes for the most part as the enthusiastic defender of the group of brilliant men whom he has selected. So much of Anglo-Indian history has been biographical that the student to-day often wishes for a history which, while appreciative of the services of individuals, would have more of India in it and greater unity of conception and continuity of treatment. The books under review are not intended to satisfy that wish.

*Les Intendants de Province sous Louis XVI.* Par Paul Ardascheff, Professeur d'Histoire Moderne et Contemporaine à l'Université Impériale de Kiev. Traduit du Russe sous la Direction de l'Auteur par Louis Jousserandot, Sous-Bibliothécaire à l'Université de Lille. (Paris, Félix Alcan, 1909, pp. xx, 488.) The thesis of this extremely interesting compilation is that the intendants under Louis XVI., differed from those under Louis XIV. as the enlightened despotism of Frederick the Great differed from the centralized absolutism of the Grand Monarch. Professor Ardascheff proves fully the powerful influence of enlightened public opinion in France under Louis XVI., and that the intendants not only were constantly guided by that spirit of enlightenment but also were among its creators and promoters. Much is made of Turgot and his work, but Senac de Meilhan Montyon, the founder of the famous prizes, Chaumont de La Galaizière, and many others are cited in evidence. The intendants were university men, trained in the law, members of the new judicial and administrative nobility, closely allied with the wealthy class in the cities, and so by birth and training members of that very group of enlightened Frenchmen who were influencing the monarchs and ministers of Europe. Several were themselves men of letters, many were active patrons of science and letters, and most of them maintained residences in Paris where they delighted to spend much time in the cultured circles.

In proof of their enlightened administration, Professor Ardascheff presents their work in relief of destitution, their varied charitable and

philanthropic acts, their efforts at sanitation and the improvement of the public health, their attempts to mitigate the burden of the *taille* and other evils of the financial system, their efforts to abolish or reform the *corvée* and other burdens and abuses surviving from feudalism, their tolerance of Protestants, their encouragement of agriculture, manufactures and commerce, their development of roads and waterways, their patronage of letters, arts and sciences, their promotion of education, and their application of the physiocratic ideas.

The thoroughness and industry of the author is attested by the multitude of references to a wide range of books, to various archives, and to private sources of information. The material is skilfully arranged but not always well digested. Professor Ardascheff himself seems conscious that his evidence is sometimes of doubtful value and inadequate. While he has shown clearly the influence of enlightened public opinion upon the intendants, the cultured and philanthropic character of many of them, the real reforms and popularity of a few of them, the impression still remains that many of them were not especially efficient administrators and that their reforms were often more benevolence than beneficence. Even the best intentioned and the most zealous were constantly hampered and blocked by the cumbersome and crumbling bureaucracy.

The volume is not merely a translation, it is a revised and enlarged edition published in French instead of Russian. It is the second part of a two-volume work, and it is promised that the first volume, which is devoted to the administrative system instead of the personnel, will later appear in French. A list of the sixty-eight intendants of the reign is given, and the book is indexed. The proof-reading should have been more carefully done.

GEORGE M. DUTCHER.

*Discours et Rapports de Robespierre.* Avec une Introduction et des Notes par Charles Vellay, Docteur ès Lettres. [L'élite de la Révolution.] (Paris, Charpentier et Fasquelle, 1908, pp. xx, 430.) This edition is disappointing for two reasons: first, because it does not include all Robespierre's speeches, but only the more formal discourses and reports, printed at the time of their delivery; second, because the introduction appears to be a panegyric designed chiefly for the disciples, and because it gives no critical information about Robespierre as a maker of speeches, and offers no hint of the reasons for excluding from the collection his less formal productions. The introduction contains more than one echo of the controversy now raging in France between two groups of students of the Revolution. M. Vellay, for example, remarks that to say that Robespierre's speech upon property "ne fut qu'une tactique, une surenchère présentée sans conviction et dans le seul but de discréditer les Girondins, c'est faire preuve d'une ignorance singulière", a remark which finds point in the statement of M. Aulard

on page 452 of his *Histoire Politique de la Révolution Française*, that this speech "n'était qu'une manœuvre politique, pour paraître plus démocrate que les Girondins, pour les dépopulariser." M. Vellay regards Robespierre as the doctrinal forerunner of Babeuf. He believes that Robespierre was the only one, seconded it is true by St. Just, who had a precise conception of the object of the Revolution and of the means of attaining it. He finds the destruction of those who hindered the coming of the reign of "vertu" altogether justifiable. The overthrow of Robespierre was, in his opinion, fatal to the establishment of the republic. Each discourse is prefaced by a brief account of the circumstances in which it was delivered. In printing Robespierre's last speech M. Vellay has followed the text of the "Commission thermidorienne," adding in notes the variants and passages erased in the original manuscript. The prefatory note advances the theory that the combination which overthrew Robespierre on the next day was several weeks in the making. It would be instructive to see the evidence for this. While M. Vellay's collection will be convenient for the general study of Robespierre's more notable speeches, it will do little to advance existing knowledge of Robespierre's development as a political leader.

H. E. BOURNE.

*Bibliographie du Temps de Napoléon comprenant l'Histoire des États-Unis.* Tome I. Par Frédéric M. Kircheisen. (Paris, Honoré Champion, 1908, pp. xlv, 412.) This is the beginning of a *magnum opus* on the history of the Napoleonic era to which the author expects to devote his entire life. One wonders why the United States should be mentioned in the title to the exclusion of thirteen other countries whose history is also comprehended. The volume contains 3912 titles. Part I., covering 16 pages and containing 141 titles, is on the general history of the period, 1795-1815. Part II., covering 241 pages with 2581 titles, is devoted to the history of fourteen individual states during the period. Part III., covering 155 pages and containing 1190 titles, is occupied with the wars of the period. A second volume containing six more parts and completing the bibliography is promised within a year. Each part is elaborately divided and subdivided into various groups and classes of histories. The use of three languages in the caption is quite unnecessary. The changing of the order in which the three are used is ludicrous. Some translations are inaccurate.

*L'Eglise de Paris et la Révolution.* Par P. Pisani, Docteur-ès-Lettres, Professeur à l'Institut Catholique de Paris. I., 1789-1792. [Bibliothèque d'Histoire Religieuse.] (Paris, Alphonse Picard et Fils, 1908, pp. 350.) The interest of this book written by a priest and a canon of Notre Dame is not as special as the title might lead one to think. In fact it is the religious policy of the Revolution from the elections to the States General in 1789 until the massacres of September, 1792, that M.

Pisani gives us in ten clear and well distributed chapters. To be sure, the documents consulted by him refer to the Church of Paris only; but since Paris was the place where history was then being made, and the conditions of the Church were practically the same in all sections of the country, no better field could be found to study the practical workings of the new policy.

The opening chapter gives a detailed topographical description of the Paris of 1790, with its 6 or 700,000 souls, its 107 parishes reduced from 479 by the new distribution of dioceses, its 52 churches, 38 convents, 921 monks and 1000 priests. It is interesting to note what was the state of mind of that clergy when they were called upon to draw up their *cahiers* and elect their representatives in April and May, 1789. The author quotes extracts from pamphlets and papers showing the grievances of the lower class of priests when a chance was given them to protest against the inequalities, the abuses, the unfair distribution of livings and offices which were the curse of the Church of the eighteenth century.

Without superfluous quotations from the parliamentary debates but with a fair attempt at exactitude if not sympathy, the author studies the three great laws of the Constituent Assembly: the confiscation of church property passed by a vote of 568 against 346 (November 2, 1789); the suppression of religious communities (February 13, 1790); the civil constitution of the clergy (June 1, 1790). Nor is the famous vote on the Dom Gerle motion by which the Assembly refused to commit itself to a recognition of a state church (April 13, 1791) overlooked in the gradual development of a new conception of relations between Church and State. The last chapters deal at length with the situation of the *insermentés*, who had refused to swear allegiance to the new constitution or retracted their oath. It is well shown that the attitude of tolerance observed towards them by the government and their constitutional colleagues changed rapidly under the influence of an hostile mob which began to assault them in their chapels and oratories, as well as under the provocations of the enemies of the new régime with whom they were confused. Hence the various laws of proscription passed against them, culminating in that of May 27, 1792, in the wholesale arrests of August and the massacres of September which included 200 priests.

This work, although written by a priest who had to submit to the *imprimatur* of the archbishop and uses the language of a Catholic party writer rather than that of a scholar (the separation law of 1905 is called "law of spoliation", ecclesiastic marriages are spoken of with horror as "sacrilegious", and references to present-day politics are not wanting) is nevertheless a useful, reliable and readable contribution to what is perhaps the most exciting subject in the history of that period. The statements in reference to the conceptions of that time on the right of the state over the property of the Church, the frank acknowledgment

of the conditions of the convents, especially the figures on the distribution all over France of *assermentés* and *insermentés* in which the author has used Professor Sagnac's curious work, show that even the members of the French clergy are applying the scientific methods of M. Aulard's school to the study of the Revolution.

O. G.

*Correspondance Générale de Carnot, publiée avec des Notes Historiques et Biographiques* par Étienne Charavay, archiviste-paléographe. Tome IV., Novembre 1793-Mars 1795. (Paris, Imprimerie Nationale, 1907, pp. ix, 853.) It is nearly twelve years since the preceding volume of this publication appeared. The delay has been caused in part by the death of the editor, M. Étienne Charavay, and in part by the necessity of modifying the plan according to which M. Charavay was proceeding, for it seemed advisable to complete the work in two additional volumes. M. Charavay had included not only the letters of Carnot and of the Committee of Public Safety, which concerned military affairs, but also letters written to them by the ministers of war, generals, representatives on mission, etc., all in the nature of supplementary material. It happens that the documents for the month of November, 1793, the first month covered by the present volume, had been edited by M. Charavay before he died, and as the present editor, M. Paul Mautouchet, did not wish that any of this work be lost, one can judge of the relatively large amount of the supplementary material which M. Charavay was accumulating. Although only forty-five letters are by Carnot or the Committee, the material occupies 224 pages. To see how radical the change of plan is one need only observe that the material for December occupies thirty-four pages. M. Mautouchet continues to print the military correspondence of Carnot and of the Committee, with occasional letters written to Carnot, if they throw light upon the military activities of the Committee. He is spared the trouble of printing others, for these are included in M. Aulard's monumental *Recueil des Actes du Comité de Salut Public*. Letters of especial significance M. Mautouchet analyzes, although they are few in comparison with the total mass in the Aulard collection. For example, there are nine taken from volume XI., for a period covered by pp. 287-305 of this volume. By placing such restrictions upon himself M. Mautouchet has been able to bring within the compass of this volume the military correspondence down to March 5, 1795, when Carnot finally left the Committee. Comparatively few of these letters have as their primary interest political affairs. Occasionally a letter, with military objects in view, gives evidence of the temper of the Committee, especially the letter written in April to the representatives at Port-la-Montagne (Toulon), asking why all the inhabitants of that rebellious town except the *sans culottes* and the workmen had not been driven away and their

houses destroyed. M. Mautouchet's work as editor is all that could be desired.

H. E. BOURNE.

*La Jeunesse Libérale de 1830: Letters d'Alphonse d'Herbelot à Charles de Montalembert et à Léon Cornudet (1828-1830).* Publiées pour la Société d'Histoire Contemporaine par ses Petits-Neveux. (Paris, Picard et Fils, 1908, pp. xvii, 294). These are letters of a young professor in the Collège d'Henri IV. They reflect the sentiments of the young liberals in France during the last two years before the revolution of 1830. Most of them were addressed to the young Montalembert who was part of the time in Sweden and part of the time in Italy, and who later became a noted historian, publicist and politician. Their purpose was to keep him in touch with the interesting events of the day. They contain judgments often keen and harsh on the men in power, especially Polignac, Bourmont and Martignac. The writer was himself an actor in the revolution but soon foresaw that the July Monarchy was a makeshift.

*Thomas George Earl of Northbrook, G. C. S. I.: A Memoir.* By Bernard Mallet. (London and New York, Longmans, 1908, pp. xii, 308.) This is a sober book in four long chapters. The decision not to include any number of Lord Northbrook's letters has laid a heavy burden of exposition on the biographer. But frequent special statements by Lord Cromer, also of the Baring family, written for the purpose, serve to illuminate as well as to inform. Indeed the third chapter, dealing with the period 1880 to 1885, must be read in connection with *Modern Egypt*. For the student, the special value of the book will probably be due first to the justification of Lord Northbrook's famine policy in 1874; second, to the information given as to his attitude with regard to the Afghan policy inaugurated by Lord Salisbury's despatch of January, 1875; and third, to the defence of Lord Northbrook's policy at the Admiralty, 1880 to 1885. Among other matters suggested or noted in the book are the influence of the introduction of the telegraph on the Governor-General of India and his powers; Lord Northbrook's comment that "the Anglo-Indians know little or nothing of what is really India" (p. 133); the working of English local government, to which he devoted himself with great interest in his own county of Hampshire from 1888 almost to the time of his death in 1904; and lastly the increasing difficulty with which he and his colleagues restrained the habit of resignation in the closing months of Mr. Gladstone's ministry in 1884-1885, when the chief was losing the confidence of many of his ablest supporters.

Lord Northbrook was almost the last Whig; and this memoir is a study of political ideas, now for the most part neglected, as applied to the problems of the last thirty-five years. It was not till 1872, as

Governor-General of India, that Lord Northbrook gained his first independent sphere of action. A long apprenticeship as under-secretary in various departments had given him an unusual range of information and admirable training, which were to be tested to the full in his greatest tasks. He was clear, calm and consistent, almost methodical in his statesmanship; and this book resembles its subject.

*Le Haut Commandement des Armées Allemandes en 1870 (d'après des Documents Allemands).* Par Lieutenant-Colonel Rousset, Ancien Député, Ancien Professeur à l'École Supérieure de Guerre. (Paris, Plon-Nourrit, 1908, pp. x, 336.) Lieutenant-Colonel Rousset gives us a treatise on High Command in the German Armies during the campaign of 1870, but he limits the discussion to the part played by the first and second armies and to the operations which culminated in the investment of Metz. The author announces that his object is to show that it was not to the conceptions of Moltke, nor to the foresight of the army commanders that victory was due, but that the true conquerors of France were the bold chiefs of lower rank, close to the men, who estimated military situations on the spot, often acted contrary to orders, always aggressively and with the single idea of getting into action. To his aid the colonel calls the numerous publications of late years which give the recollections of many actors in these great events, which make clear and explain the rather colorless narrative of the general staff. Does he prove his case?

It is a common fault of military criticism to ascribe an undue importance to the mistakes of high commanders when they do not affect the general plan. Napoleon said that he who is free from error never made war. A commander should be judged by striking an accurate balance between the times when he was right and the times when he was wrong. To do this in 1870 we should go back to the strategic concentration at the beginning of the war and to the strategic marches after the war commenced. Perhaps we might then conclude that the tactical victories, which Colonel Rousset believes to have been within the easy grasp of the French on several occasions, would have had no more than a temporary and local effect.

If we agree to this we may accept the author's verdict as to Steinmetz and Frederick Charles, and we may also agree to the graceful tribute that a French soldier pays to the spirit of initiative and comradeship which existed in every rank in the German army, which impelled an advance-guard commander to bring on a great battle relying on the support of all who could get there too, which nerved a crops commander to attack the entire French army and which led a young captain of the General Staff to arrogate to himself the functions of a lieutenant-general in hurrying troops to the front. But we may doubt if the relentless march of events was changed or even hastened by all

this when we study the far-reaching schemes of the Chief of Staff, his choice of objectives and the size of his armies.

EBEN SWIFT.

*Kultur und Reich der Marotse: Eine historische Studie.* Von Martin Richter. [Beiträge zur Kultur- und Universalgeschichte, ed. Lamprecht, VIII.] (Leipzig, Voigtländer, 1908, pp. xvi, 196.) This monograph is a description and estimate of the culture of the Marotse, who form an empire, equal in area to that of Germany, on the upper right bank of the Zambesi. The development of the empire is the outcome of a series of migrations of Bantu peoples from South Africa. The merit of the monograph is that it embodies data based only upon original sources and arranged so as to present a comprehensive view of all phases of the life of the people. The first division of the work deals with the history of the empire, and the second with its culture. Under the latter division are discussed: (a) the material culture, (b) the organization of the community life, the family and the state, and (c) the intellectual culture, the art, music, fable, story, and the manner in which the people interpret their environment.

In some respects the Marotse offer striking contrasts to other African negroes. For example, in some districts a husband has to purchase his own children from his father-in-law. The facility for divorce leads in principle to free love. It is rare that a man in middle life retains his first wife; yet sexual relations are kept within legal bounds and adultery is condemned. A mother does not hesitate to kill her children if they stand in the way of a re-marriage. The animals represented in fable are only personified men. The hare eats meat, the lion bakes bread and the frog hoes the fields. The traditions portraying the conflict between man and god reveal a spirit of overcoming which is rare among negro peoples.

The author shows a sympathetic attitude towards missionary efforts, but at present the number of Christians is too small to affect the masses. Upon the whole he has used the available data with restraint and his work will be of value to students in the social sciences.

JEROME DOWD.

*Texts of the Peace Conferences at the Hague, 1899 and 1907*, with English Translation and Appendix of related Documents. Edited, with an Introduction, by James Brown Scott, Technical Delegate of the United States to the Second Peace Conference at the Hague. (Boston, Ginn and Company, 1908, pp. xxxiv, 447.) In Secretary Root's brief prefatory note to the volume, quoting from his letter of February 26, 1908, submitting the Hague conventions of the previous year for consideration by the Senate, he declares: "I think the work of the Second Hague Conference . . . presents the greatest advance ever made at any single time toward the reasonable and peaceful regulation of interna-

tional conduct, unless it be the advance made at the Hague Conference of 1899". He further says that each attempt to secure international agreement upon matters affecting peace and war "is to be considered not by itself alone, but as a part of a series in which sound proposals may come to a general acceptance only by a very gradual process extending through many years". The purpose of this collection of documents is to present the "sound proposals" hitherto made which properly enter into this "series".

Chronologically speaking, it begins in the appendix with the Declaration of Paris of 1856; followed by Lieber's Instructions for the Government of the Army of the United States in the Field, 1863; the Geneva Convention of 1864 and the additional articles of 1868; the Declaration of St. Petersburg of 1868; the Declaration of the Conference of Brussels of 1874; and the Oxford Recommendations regarding the Laws of War on Land, 1880. Then, in chronological order, come the documents relating to the Peace Conference of 1899. The Czar's rescript of August, 1898, and his circular of January, 1899, summoning the conference are followed by the seventeen documents embodying the important results of the conference, including the Final Act, one resolution, six recommendations, four conventions, three declarations, the table of signatures, and the reservations attached to the ratifications of four states, the whole collection occupying pages 1 to 92. The documents of the Second Hague Conference extend over pages 93 to 346. Of the diplomatic correspondence preparing for the conference, there are given two letters of Secretary Hay, two of Secretary Root, three of the Russian ambassador, and one of the Dutch minister. Then follow the twenty-four documents embodying the important results of the conference, including the Final Act, two resolutions, four recommendations, fourteen conventions, one declaration, the table of signatures, and numerous reservations by various countries to their ratifications. Between the dates of the two peace conferences would come, in chronological order, the last two documents of the appendix, a Convention regarding Hospital Ships, signed at the Hague, 1904; and a new Geneva Convention regarding sick and wounded, 1906.

The twenty-five page introduction by the editor gives a very brief but lucid analysis and discussion of the work of the two conferences. He draws an interesting analogy between the course of the development of the common law of nations and that of the common law of England. There are a few errors and some awkward constructions which more care could have eliminated; but these are comparatively slight defects in a very creditable piece of work. Most of the documents have been published elsewhere and some of them many times, but it is well worth while to have them brought together in this convenient form.

*Jahrbuch der Zeit- und Kulturgeschichte, 1907. Erster Jahrgang.*  
Herausgegeben von Dr. Franz Schnürer. (Freiburg im Breisgau, Her-

der, 1908, pp. viii, 479.) This new *Jahrbuch* is intended for a companion to the *Jahrbuch der Naturwissenschaften* which for twenty-three years has been appearing under the same auspices. The contents are grouped in ten parts, each part containing several chapters by different writers. Part I. is an introductory review of the year. Part II. contains five chapters on religious life, in general, in Germany, in Austria, in foreign countries, and in mission fields. Part III., has three chapters on political life, in Germany, in Austria-Hungary, and in foreign lands. Part IV. deals in four chapters with social and domestic questions under the subheads, economic and social affairs, education, the German press, and the Austrian press. Part V. contains seven chapters on the sciences, theology, philosophy, history, philology, literary history, folklore and jurisprudence. Part VI. deals with literature under the heads, lyric and epic, drama and the theatre, and prose writings. Part VII. treats of art and music. Part VIII. is a chronicle; part IX., personal mention; and part X. a necrology. There is a three-column index covering twenty pages.

*The Bibliographer's Manual of American History*, containing an Account of all State, Territory, Town and County Histories, etc. Compiled by Thomas Lindsley Bradford, M.D. Edited and revised by Stan. V. Henkels. Vol. III., M to Q, nos 3104-4527. (Philadelphia, Stan. V. Henkels and Co., 1908, pp. 314.) This volume perhaps shows some improvement over its two predecessors (REVIEW, XIII. 384, 908), but none of a decided character. Inclusion and exclusion are still managed somewhat arbitrarily; e. g., at no. 3706, Morse's *Description of the Georgia Western Territory*, a mere "separate" from his *American Gazetteer*, while the latter is not included. The arrangement is such that all users will wait impatiently for the indexes, on the excellence of which much will depend. Thus, Gottfried Duden's *Bericht über eine Reise nach den westlichen Staaten* (Elberfeld, 1829), which was not entered under Duden, is now given under Missouri though the arrangement of the book purports to be by authors. Gorton's *Simplicities Defence*, which was not entered under Gorton, is now presented under New England, a section, by the way, having a singularly confused arrangement. The French translation of Filson's *Kentucke*, though already noticed under Filson, is now given again under Parraud, the name of the translator. The *Personal Narrative of James O. Pattie*, already given under Flint, reappears under Pattie. Beauchamp Plantagenet's *New Albion* appears both under Plantagenet and in the section of New England anonyma. There are mistakes in nearly all titles in foreign languages. The notes seldom rest on modern authorities, such as the Church Catalogue or Evans; that on Morton's *New English Canaan*, e. g., represents a state of knowledge anterior to Mr. C. F. Adams's edition. That on the *Groote Tafereel der Dwaasheid* is wholly insufficient.

*State Publications*, a provisional list of the official publications of the several states of the United States, compiled under the editorial direction of Mr. R. R. Bowker, has now been completed by the issue of part iv., relating to the Southern States (New York, Office of the Publishers' Weekly, 1908, pp. 607-1031). This was the most difficult part of this very useful bibliography. We have no criticism to make upon the entries made relating to the period of statehood. But it appears to us that perfection in the earlier data might have been much more nearly approached if greater pains had been taken to seek the aid of competent bibliographers in the various state capitals, or to send the compilers thither. In a few instances the former has been done with good effect. In other cases the lists have been compiled mainly from the collections of state documents in the New York Public Library and the State Library of Massachusetts. We observe, as the result, grave omissions in the titles for the colonial period.

*Zwei Beiträge zur Verfassungsgeschichte der Vereinigten Staaten.* Von Charles Meyerholz. [Beiträge zur Kultur- und Universalgeschichte, ed. Lamprecht, VI.] (Leipzig, Voigtländer, 1908, pp. 246.) The first of these essays, *Die Foederal-Konvention vom Jahre 1787*, is merely a commonplace account of the work of the Federal Convention, the treatment being based largely upon secondary authorities, the credit for which is not always given. The ordinary records of the Convention as found in Elliot's *Debates*, the *Documentary History of the Constitution*, etc., are used, but not to support any new interpretation of the Convention's work. The only thing that approaches a new feature is a compilation of figures regarding the age and birthplace of the delegates, the composition of committees, the number of times "state sovereignty" was referred to, etc. An objectionable feature of this compilation and of the treatment of other questions is a tendency to emphasize divisions in the Convention according to the Mason and Dixon Line, a division which was of little consequence at that time. The essay is in German, and the style at various points would indicate that it had been translated from the English.

The second of the essays, *Federal Supervision over the Territories of the United States*, is in English and presents the results of studies mainly in original material, some of which is unpublished. After an introduction upon the origin of the public domain, the main body of the essay is divided into three chapters upon the Legislative, Executive and Judicial Control over Territories. Although the material is rather poorly analyzed and exception might be taken to its organization and presentation, some good statistics may be found.

M. F.

*Wahlamt und Vorwahl in den Vereinigten Staaten von Nord-Amerika.* Von Dr. Ernst C. Meyer. (Leipzig, Voigtländer, 1908, pp. xxx,

210.) This volume is divided into three parts. The first deals with elective offices in federal, state and local governments. In the second part the indirect primary or convention system is considered, and in part three the direct primary. In parts two and three, the author covers the ground traversed in his *Nominating Systems*, published in 1902, but has changed the style of treatment and introduced much new material illustrative of recent developments. The volume contains a bibliography of material on the nominating system and also a list of laws enacted for the regulation of primaries. Both of these are useful, neither is complete; the latter especially is by no means exhaustive. Dr. Meyer makes the interesting suggestion in the last chapter of his work that a combined primary and election should be held and that "The candidate of each party, who receives the largest number of votes in the primary, shall have all the votes of his party opponents, and that the candidate of each party, who in this way receives the largest number, shall be regarded as elected for the office in question." This, he thinks, would preserve the integrity of the party, and at the same time simplify the election machinery. On the whole, Dr. Meyer's volume will be found very useful to the student of the American party system, and particularly to those interested in the nominating process.

*The American Executive and Executive Methods.* By John H. Finley, President of the College of the City of New York, and John F. Sanderson, Member of the Pennsylvania Bar. [The American State Series.] (New York, Century Company, 1908, pp. 352.) The joint authors of this useful book upon the executive department in nation and state have maintained the high standard of scholarship that has characterized the series of which the volume under review is the final number. Two rather dry and perfunctory chapters devoted to a short historical sketch of the colonial governor and revolutionary state executive are followed by twelve chapters upon the executive department of the American state, which constitute a valuable and the most satisfactory portion of the book. The remainder of the volume consists of eight chapters, of uneven merit, dealing with the federal executive, to which is added an appendix upon the presidential electoral system. Just why the important subject of the election and succession to the presidency should have been relegated to an appendix while details of bureau organization receive minute treatment in the text is difficult to understand.

The distinctive feature of the work is the marked emphasis laid upon the administrative as opposed to the political functions of the executive departments of government. This is noticeably the case in the discussion of the federal executive, which is practically an elementary treatise upon federal administrative law. The strictly legal and ministerial powers of the President and his subordinates are well

portrayed but the deep constitutional significance of the President's representative relation to the entire American people and of the theory and practice of presidential interpretation of executive powers does not receive adequate recognition.

The book reflects somewhat the defects inherent in a work of dual authorship. Some chapters are admirably written, others, based largely upon court decisions and opinions of the Attorney-General, resemble a lawyer's brief and are for the layman difficult reading. The problem of proportion and arrangement is not handled with equal success in the several portions of the work and citation of authorities does not always follow a consistent rule. A number of minor errors have been noticed but the work has, on the whole, been performed with commendable accuracy. The personal views of the authors are sound and discriminating.

MARSHALL S. BROWN.

*Winthrop's Journal, 1630-1649*, edited by James Kendall Hosmer (New York, Scribners, 1905, pp. xi, 335; xii, 373) has appeared in two volumes, as one of the series of "Original Narratives of Early American History". The old title of the Savage edition, *History of New England*, is given in this edition, wisely, only as a subtitle, and the volumes thus appear to be what they are—a journal. The editing suggested some perplexing problems which have on the whole been solved judiciously. A brief but careful comparison of some portions of the manuscript with Savage's text appeared to demonstrate that Savage had made a very careful copy—after looking at the facsimile of the first manuscript page one feels like saying a most careful translation; and the editor was certainly right, unless he had months of time and exceptional quantities of patience, in relying on the work of his predecessor, a competent and accurate scholar. The plan of omitting Savage's notes, except in a few instances, and of supplying annotations less pedantic, if less curiously interesting, was also wise under the circumstances, though scholars will always wish to have the older edition within reach. Had the plan of the series permitted the use of starred numbers to indicate the pages of Savage, it would have been of distinct advantage.

The notes appear on the whole to be adequate and useful. One of them however leaves the reader at a loss; for how can the editor say, "In 1665 came what Brooks Adams calls the 'Emancipation of Massachusetts', with a form of government much freer and better, though introduced under the auspices of the restored Stuarts" (II. 174)? The index could in the reviewer's opinion have been enlarged to advantage; but of course, while this is a serious criticism, there is always room for differences of opinion between the index-maker and the user of a book. The insertion of several pages of *A Short Story* in the body of the text of the *Journal* is of very doubtful wisdom; but this is not very impor-

tant; one would naturally expect to find it in an appendix. On the whole the edition shows scholarship and good sense, and one would be foolish to demand more.

A. C. McL.

*The Province of New Jersey, 1664-1738.* By Edwin P. Tanner, Ph.D., Instructor in History in Syracuse University. [Studies in History, Economics and Public Law, edited by the Faculty of Political Science of Columbia University. Volume XXX.] (New York, Longmans, 1908, pp. xvi, 712.) We have here a detailed history of the political affairs and institutions of New Jersey during two generations of its provincial life. The work is divided into twenty-eight chapters, varying in length from 5 to 81 pages, whose titles give a fair notion of the scope of the treatment of the period. These concern the nature, history, and political relations of the peculiar land system of the proprietors in each of the two Jerseys; elements of the population; relations to the Duke of York and to the crown; the personnel, legal position and activities of executive, council and assembly, respectively, and their conflicts; the judicial system; financial affairs; militia system; the Church of England in the province; and the movement for a separate governor.

The treatment being topical rather than chronological gives to the reader the feeling that the work is more or less a series of monographs. This method inevitably leads to repetitions. The statement is made no less than six times that the authorship of Cornbury's Ordinance for Establishing Courts of Judicature is to be ascribed to Mompesson.

Dr. Tanner with all his commendable zeal has in some instances contented himself with less than final authority. For example, this reiterated assumption that Mompesson prepared Cornbury's ordinance seems to rest wholly on the surmise of Field in his *Provincial Courts*. But the ordinance in all its essential features was issued in New York by Bellomont in 1699 and in fact had a much earlier origin.

The author very properly emphasizes the importance of the political issue between proprietary and anti-proprietary parties, but he fails to take account of some of the other formative elements and tendencies; of local life and activities, notably the chartering of three cities, no other colony of the time having more than two "city" governments; of the significant change to the presbyterial form and relations of the Independent churches of New England origin; he slights too the influence of the religious organizations other than the Anglicans and Friends.

There are occasional slips, as, for example, the imperfect quotation of the Duke's release (p. 3); 40 nobles (*ibid.*); "Rev. George Talbot" (p. 293); "the governor . . . as chancellor till 1770" (p. 469). The governor continued under varying conditions to act as chancellor until 1844. The index would be of greater value were there sub-titles to the more important headings, such as, for example, the *New Jersey*

*Archives* of the period give. The book is well printed; the typographical errors noticed are few. The foot-notes so far as examined are for the most part accurate in their references. The historical temper of the author is excellent; while his judgment favors the proprietary party he shows a judicial spirit in his estimate of men and measures, and his style is clear. He has provided a *vade mecum* for all students of the period.

*The Writings of James Madison.* Edited by Gaillard Hunt. Volume VIII., 1808-1819. (New York, Putnam, 1908, pp. xix, 455.) Not more than a tenth part of this volume is new matter. The messages and proclamations have of course been frequently printed before, and most of the correspondence has already appeared in the *Letters and Other Writings*. Indeed the earlier collection contains more letters for the period covered by this volume than are embraced in it, although this is a better selection of what is most interesting and most important. The various instructions to Armstrong and Pinckney, which occupy the first section of the volume, have for the most part been printed already in the folio *American State Papers*; but when brought together in a chronological order they enable us to follow the history of Madison's diplomacy, during the last year in which he was Secretary of State, in a particularly instructive manner. Of the few letters which are drawn from private sources, or the collections at the Lenox Library or those of the Chicago Historical Society, the most interesting perhaps is one to Jonathan Dayton, March 17, 1812, asking him to send, at that critical moment, further amplifications of the hints he had previously given in an anonymous letter concerning alleged plots against the government. Of the letters hitherto unpublished which Mr. Hunt has derived from the archives of the Department of State, the most interesting are those which illustrate the course of Madison during the disgraceful episode of the capture of Washington. Mr. Hunt's notes are, as usual, excellent in respect to information, judgment and good taste.

*The Life and Times of Anne Royall.* By Sarah Harvey Porter, M.A. (Cedar Rapids, Iowa, Torch Press, 1909, pp. 292.) Anne Newport was born in Maryland in 1769, and in 1797 married William Royall of Virginia, who had been a captain in the Revolutionary war. She became a widow when she was forty-three years old and, being deprived by a contest over her husband's will of the property he had bequeathed her, she was left to gain her own living, which she did by writing up to the time of her death at 85 years of age. Her first volume, however, was not published till she was fifty-seven years old, and in the next five years she issued no less than six volumes of travels and one novel. After this she issued many other volumes and established two papers in Washington, *Paul Pry* and *The Huntress*, for which she furnished practically all the copy. In her writings she dealt

largely in personalities. She was lavish in praise of her friends and unsparing in abuse of her enemies, those who were kind to her being the former and those who were unkind to her being the latter. She espoused ardently the cause of the Masons during the period of the Anti-Masonic movement; fought the United States Bank with Andrew Jackson, and waged a noisy war against clerical bigotry. The most noteworthy event in her career was her trial by the Circuit Court of the District of Columbia in 1829, Chief Justice Cranch presiding, on the charge of being a common scold. She was convicted and sentenced to pay a fine of ten dollars, the court ruling that this penalty might be substituted for the traditional ducking-stool. Of course, she scolded all the harder after this, and neither old age nor the dire poverty which came upon her diminished her indomitable spirit, which continued unbroken to the end. Many people feared her because of the abusive personalities which appeared in her papers, and after her death the memory of these and of her noisy obtrusiveness survived her more amiable characteristics, and she received contemptuous mention from all writers on Washington life, until the late Ainsworth R. Spofford of the Library of Congress in an article on Early Journalism in Washington spoke a few words in her favor. It was this circumstance which prompted Miss Porter to make the study of Anne Royall which is under review. Miss Porter has read all of Mrs. Royall's writings, and has followed her erratic course with commendable thoroughness. She gives also an index to Mrs. Royall's pen-portraits of prominent characters of her day which are scattered throughout her voluminous writings and which students will find of value. She has taken a fair view of Mrs. Royall's characteristics, but she has exaggerated her importance.

G. H.

*A Calendar of Confederate Papers with a Bibliography of Some Confederate Publications.* [Preliminary Report of the Southern Historical Manuscripts Commission.] Prepared under the direction of the Confederate Memorial Literary Society, by Douglas Southall Freeman. (Richmond, Va., The Confederate Museum, 1908, pp. 621.) It would be difficult to speak in terms sufficiently complimentary of the careful and really monumental historical enterprises in the South now actively collecting, arranging and publishing various kinds of material relating to the Civil War. One should have known the conditions in the Southern capitals a quarter of a century ago to appreciate the truly marvellous changes. And the different persons directing these enterprises are so energetic, intelligent and ambitious that they convince us that the best fruits are yet to be gathered, although there is no room to doubt the value of several large collections already made.

Mr. Freeman's *Calendar* describes in generous detail the collection made by the Confederate Memorial Literary Society prior to September, 1907, and preserved in its fireproof Museum in Richmond. Whoever

writes Confederate history from the sources will find this orderly and thoroughly modern *Calendar*, supplemented by careful notes, an indispensable *vade mecum*. A long and instructive introduction tells of future aims as well as of actual achievements and shows that while a wide historical horizon is scanned, nearer and minor objects are not overlooked.

All persons who have visited the great battlefields that have been transformed into national parks have been surprised to find Union monuments in serried rank frowning terribly at innumerable and invisible foes where only a smiling, virgin landscape appears. "Where are the memorials of the Confederates?" has often been asked by travellers, who forgot how much less than a surplus of wealth was left the Southern survivors. Now the South can give the best possible answer: "Come to Richmond, come to Montgomery, come to Jackson, come to New Orleans, and you shall see not tawdry, vainglorious artificialities, but the original of nearly all but living, breathing, dying things of that time—the records, the telegrams, all sorts of public and private manuscripts and printed documents, the arms, the ragged uniforms and tattered flags, the very drums and fifes and bugles, battered, yet ready, as if to call forth from their dusty graves the lank, shabby, battle-scarred and all but invincible 'Lee's miserables'". This *Calendar* is the historian's Baedeker for Richmond's best memorials of the Confederates

FREDERIC BANCROFT.

*Grant's Campaign in Virginia, 1864 (The Wilderness Campaign)*. By Captain VAUGHAN-SAWYER, Indian Army. (London, Swan Sonnenschein; New York, Macmillan, 1908, pp. 197.) Since the revival of the study of military history in the British army, the campaigns of the Civil War in America have received the special attention of its officers. In this handy little volume Captain Vaughan-Sawyer has shown unusual talent. The list of authorities consulted shows that he has not an extended knowledge of the literature of the Civil War and this appears in almost every chapter, but he shows a good knowledge of his subject and a clear understanding of military principles, and his criticisms are original, sometimes novel and generally, but not always, sound. The narrative is brief but clear and comprehensive and the reasons for or against each disposition and movement are discussed in a manner both creditable to the author and interesting and instructive to the military student.

Speaking of the advance from the Wilderness, he says, "In abandoning the field of battle, Grant departed in some measure from his own professed principles of 'never manoeuvring' and also from his own dictum that the Army of Virginia was to be his primary objective. . . . In proportion as he transferred the seat of the contest towards the southeast so did he lessen the chance of terminating the war by inflicting irretrievable defeat on the main army of the Confederacy in the field."

Captain Vaughan-Sawyer appreciates Grant's error in sending off Sheridan with the cavalry and attributes Grant's "non-success" in the Wilderness to the failure of the Federal cavalry to give him information of Lee's movements. As there is no mention of artillery preparation to any of Grant's assaults except on May 18, he infers that Grant failed to appreciate the value of this arm. He is quite wrong in saying that Ewing's advance on May 19 was Lee's last offensive movement against Grant.

The maps are not elaborate but they enable the reader to follow the text without difficulty.

*The Adoption of the Fourteenth Amendment.* By Horace Edgar Flack, Ph.D. [Johns Hopkins University Studies in Historical and Political Science, extra volume XXVI.] (Baltimore, Johns Hopkins Press, 1908, pp. 285.) The Fourteenth Amendment, in its first section, declares that "no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States", or "deprive any person of life, liberty, or property without due process of law", or "deny to any person within its jurisdiction the equal protection of the laws". In the Slaughter House Cases and on many later occasions the Supreme Court has been asked to hold that these clauses, together with the fifth section of the amendment, made the United States government the general guardian and protection of fundamental civil rights, superseding the states in this function. The court has steadfastly refused to interpret the amendment in this way. Dr. Flack's monograph has for its chief purpose the demonstration that the court might have justified itself if it had held what it was asked to hold. His method is a careful and detailed review of the process through which the amendment took shape and became law. He traces the various sections through all phases of their legislative history, beginning with the action of the Joint Committee on Reconstruction, continuing in the two houses of Congress and the various state legislatures, and ending in the interpreting action of Congress through the passage of the Enforcement Acts. He makes it perfectly clear that a number of the strongest and most influential supporters of the amendment repeatedly described its meaning and effect as precisely those which the Supreme Court has steadfastly refused to give to it. Dr. Flack is, however, too good a lawyer and too exact a historian to say that the Supreme Court was wrong. He is content to leave to the reader the deductions that may be drawn from the clear and scholarly narrative.

The book will be very useful to every serious student of Reconstruction. It draws much instructive matter from the journal of the Joint Committee, and it puts in an especially interesting light the part played by Judge Bingham, of Ohio, in the framing of the first section. There is a wholesome spirit of restraint and caution about the book, and its statements of fact are to be relied on. A single slip has been noted:

on page 251 Senator Thurman is said to have been "later Vice-President of the United States". There is high authority for doubting this.

W. A. D.

*Primary Elections: A Study of the History and Tendencies of Primary Election Legislation.* By C. Edward Merriam, Associate Professor of Political Science in the University of Chicago. (Chicago, University of Chicago Press, 1908, pp. xi, 308.) This work gives the first complete statement of American methods of nominating candidates for public office, together with an account of present conditions and tendencies. In the appendices the laws of New York, Illinois, Florida, Wyoming and parts of the Iowa and Wisconsin laws are printed; a summary is given of primary election laws in all the states; and a bibliography of direct nomination is supplied. It is an indispensable work for reference.

Professor Merriam shows that public sentiment is passing through a cycle of change. At present "there is discernible a powerful movement in favor of nomination by petition only, as a substitute both for the convention system and for the direct primary" (p. 135). Professor Merriam himself favors the direct primary, but he admits that evils have shown themselves. "It seems to be generally conceded that the cost of campaigning where candidates are chosen by direct vote is greater than under the other system" (p. 119). Thus it would seem that the system tends to make politics a rich man's game. The author suggests that "if the net result of mass campaigning is to arouse public interest and quicken public intelligence, the additional burden of cost can profitably be borne by the public" (p. 120). Another difficulty is that mere notoriety seems to be a valuable political asset, giving one who has it an advantage "over one better qualified but less generally known" (p. 122). The situation is summed up as follows (p. 132):

So far as its tendencies have been made evident, the direct primary has justified neither the lamentations of its enemies nor the prophecies of its friends. It has not "destroyed the party"; nor has it "smashed the ring". It has not resulted in racial and geographical discriminations, nor has it automatically produced the ideal candidate. Some "bosses" are wondering why they feared the law; and some "reformers" are wondering why they favored it. The wiser ones in both camps are endeavoring to readjust themselves to the new conditions.

If Professor Merriam's scheme of treatment had admitted comparisons with other countries light might have been thrown on a mystery which his book leaves darker than ever, namely, why the American people alone among modern democracies have to struggle through such a labyrinth of legal regulation in nominating candidates. He points out that originally that matter was left entirely to private initiative and expense. It still is in other democratic commonwealths. But this im-

portant difference is to be noted. While the American people have been trying to regulate the conditions under which power is gained other democratic peoples have established their control over public policy by regulating the conditions under which power is exercised. Elections are confined to the choice of representatives from among those presenting themselves. Administrative and judicial posts are filled by appointment under the sharp and vigilant criticism of the representatives of the people. This function of control is maintained through representatives who are compelled to represent the people instead of their individual interests by rules precluding them from obstructing the administration in submitting its measures, and also from proposing any taxes or appropriations not recommended by the administration. The hold-up, the treasury raid and the log-rolling system of passing bills are all shut out by the constitutional system. In Switzerland every bill must be submitted to the Federal Council for examination and report before the legislative chambers will consider it. Adapting for the occasion an old culinary maxim, it may be said that in other countries democracy avoids our primary election perplexities by acting upon the principle that it does not matter how you catch your candidate provided you know how to cook him. We have representative institutions but we have yet to attain responsible government. In the language which Burke applied to a similar situation, "This is the fountain of all those bitter waters of which, through an hundred different conduits, we have drunk until we are ready to burst".

HENRY JONES FORD.

*Freemasonry in Pennsylvania, 1727-1907.* Compiled from original sources by Norris S. Barratt and Julius F. Sachse. (Philadelphia, 1908, pp. xxiii, 477.) When so industrious an explorer as Mr. Sachse has long shown himself to be in the Pennsylvania-German field was recently appointed librarian of the Masonic Grand Lodge on Penn Square, such a volume as the one under consideration became a predictive certainty. Judge Barratt and his committee were necessary to the fulfillment, no doubt. Mr. Sachse's enthusiasm and method produce some serious defects. This volume is volume I., embracing the period 1727-1786, but, whereas all this ought to be found on the title-page, one can neither get it from that nor from the confusing outside title, and only discovers it to a clear-cut certainty after reading the preface, to page viii. Then when one incidentally reads at page vii the following: "By it is shown many masonically important historical facts", etc., one is inclined to wish for more care and less enthusiasm. The volume is frankly called a compilation, and it might almost be described as a reprint of a lodge's minutes, since probably less than one-tenth of it is narrative text, used to introduce chapters. After noting the St. John's Lodge "constitutions" of 1727 as the earliest evidence of the existence of Masonry in provincial Pennsylvania, and the creation of a provincial Grand Lodge

by the English authorities as early as 1730, with all the local lodge activity that this implies, Mr. Sachse shows how the great division in England in 1751, resulting in the "Ancient" wing of the order, caused the gradual displacement of the "Moderns" in this province, because of the greater democracy of the lodges of the "Ancients" as shown in the numerous "travelling" or "army" lodges among the soldiers and sailors of the French and Indian wars. Lodge 2, created as Lodge 1, but taking second place to enable the former to become a Grand Lodge, was the first of these "Moderns" to become "Ancient", soon after its formation in 1757. Naturally, therefore, a printing of the minutes of this lodge down to 1786 in this volume becomes of real interest to Masonic history in Pennsylvania and the country in general—meagre as such minutes are apt to appear to the layman. Mr. Sachse has supplied illustrations to his text with his usual prodigality, and some of them appear to be rare. A second volume is announced, to cover the remaining minutes to 1907. The volume has both an index of subjects and a full index of names.

BURTON ALVA KONKLE.

*True Indian Stories, with Glossary of Indiana Indian Names.* By Jacob Piatt Dunn, Secretary of the Indiana Historical Society. Indianapolis, Sentinel Printing Company, 1908, pp. 320.) This book consists of two distinct parts, the first of which contains two hundred and fifty-two pages of fascinating reading, which in a unique way, portrays a chapter in the early history of Indiana and the surrounding territory. While the incidents portrayed in the thirteen stories illustrate various phases of the life of the Indians, yet the historical significance of the book is much greater than is implied in the title. Its close connection with the early history of Indiana not only gives it a peculiar significance for the state, but also sheds light upon our young national government. The characters of General Wayne, General Harrison, young Zachary Taylor and others are admirably portrayed. In his writing, Mr. Dunn is graphic and vivid, yet he has so cleverly handled his material that the most delicate sense may not take offence. The second part of the book consists of a study of Indian names, displaying a large knowledge of comparative philology and many days of careful study and investigation. It is to be regretted that the book is not provided with a more attractive binding, and the illustrations, while well selected, are not of as good quality from a mechanical point of view as might be desired. There are few men as well prepared as Mr. Dunn for the service which he has rendered, as he has been making a special study of Indian languages for a number of years.

*Collections and Researches made by the Michigan Pioneer and Historical Society.* Volume XXXVI. (Lansing, 1908, pp. ix, 702.) This is an important and valuable volume. Professor C. W. Alvord's paper

on the Genesis of the Proclamation of 1763 is a careful and well-reasoned study, which does much toward setting that document in its proper light. His argument, briefly, is that the primary intention in its making was the reassuring of the Indians, that Shelburne was the author of the part devoted to this object; that the government intended to control, but not permanently to prevent, westward expansion; and that some infelicities had their origin in haste to issue the proclamation before all subordinate parts of the government's policy had been duly studied. The remainder of the volume, except the usual reports of meetings and memorials of deceased members, is occupied with two important bodies of original material illustrating the history of Michigan Territory, the first (pp. 111-352) those records and documents of the period 1805-1819 which are preserved in the Bureau of Rolls and Library in the Department of State at Washington, the second (pp. 357-620) documents of the years 1808-1831 from among the Schoolcraft Papers at the Smithsonian Institution and the Library of Congress. All are provided with excellent annotations by Mr. J. Sharpless Fox. No general description or history of either of these two bodies of material is given. No chapter-heading or other break marks the separation between them. The running headline "Territorial Records", appropriate to the first but not wholly so to the second, continues through both. Greater care and uniformity in devising headings to the several documents and in indicating properly the sources from which each was obtained would have increased the convenience of use by the historical scholar. But he has the substance of much valuable matter, and he has an excellent index.

*Wisconsin: The Americanization of a French Settlement.* By Reuben Gold Thwaites. [American Commonwealths.] (Boston and New York, Houghton, Mifflin and Company, 1908, pp. ix, 466.) Mr. Thwaites has had a large part in building up the history of the country between the Ohio and Mississippi rivers and the Great Lakes, once known as the Northwest Territory; and now he uses his opportunities to give a summary of the early explorations of the French and the development of the fur-trade by the English throughout that large region. The fact that Wisconsin lay in the pathway from the Lakes to the Mississippi brings into his record the adventures of Nicolet, Radisson and Groseilliers, Marquette and Jolliet, La Salle and Tonty; and the comparatively recent date (1836) when Wisconsin began a separate existence as a territory calls for treatment of the larger divisions of which the present state was once a part. Thus the student of the history of the Middle West finds in Mr. Thwaites's work an epitome of the latest results of the research that is constantly developing materials as the French and English archives are becoming available. Indeed, the author frankly acknowledges that he has been called upon to contradict some of his former statements, and he intimates that later he

may have occasion to modify opinions he now expresses. In tracing the development of a French settlement into an American state, attention is given to such details as the location of the capital in an unbroken wilderness, at the instance of land speculators; to the Indian wars; to the coming of immigrants from various sections of this country, as well as from Europe; and to industrial and educational development. There is a chapter on Wisconsin's part in the War of the Rebellion, a struggle that influenced profoundly the development of the Ohio-Lake region. One could desire fewer facts and a larger discussion of leading topics, such as, for example, the Indian policy of Lewis Cass, which is dismissed with a few words of implied censure. The author exercises a large toleration towards the over-boastful explorers, the crafty traders, and the many political speculators who played a large part in the development of the state. In fact the record of their doings causes wonder over such an excellent outcome as the present condition of Wisconsin betokens. The index covers over thirty pages, which indicates the thoroughness of the work.

C. M.

*Collections of the State Historical Society of Wisconsin.* Edited by Reuben Gold Thwaites, LL.D., Secretary and Superintendent of the Society. Volume XVIII. (Madison, the Society, 1908, pp. xxv, 557.) This volume is composed of three sections. In the first Dr. Thwaites continues that chronological presentation, which he began in volume XVI. of the series, of contemporary documents concerning the French régime in the history of the upper Great Lakes having special but not exclusive reference to events connected with Wisconsin. Volumes XVI. and XVII. have covered the period from 1634 to 1748. The present volume proceeds from 1743 to 1760. Most of the documents are derived from the archives of the Ministry of the Colonies in Paris, some having been selected from the "Correspondance Générale" or series of letters received, some from "Série B", the series of outgoing instructions and letters. Some of the most important documents, however, are translations from Margry, like the narrative of Céloron or the memoir of Bougainville, or are derived from papers of the Grignon family, descendants of Charles Langlade, or other documents in the possession of the Wisconsin society. Next follows a section, of about the same length, consisting of a selection of documents relating to the British régime in Wisconsin from 1760 to 1800. Two-thirds of this material has already been printed, but the editor and his assistants have added to all parts many valuable notes, including a profusion of biographical details. The editor concludes by printing the register of marriages kept in the parish of Michilimackinac from 1725 to 1821. The volume has good illustrations and a good index. There are a considerable number of misprints in the foot-notes, especially in the proper names. To retain in translations (all the French documents are pre-

sented in translation) the capitalization of the originals does not seem to the reviewer commendable. The Society has also issued, in a good reprint, the sixth volume of its *Collections*, first printed in 1872.

An ally of the Society is the Wisconsin History Commission, consisting of the governor of the state, the professor of American history in the state university, the secretary of the Society, the secretary of the Library Commission and a representative of the Grand Army of the Republic. This body, lately established by statute, is charged to gather and arrange the material for a history of Wisconsin's part in the Civil War. The commissioners have proceeded to inaugurate a series of "Original Papers", of which the first is a small but tasteful volume entitled *A View of the Vicksburg Campaign* (pp. xii, 104), by the late Col. William F. Vilas, while the second, *Capture and Escape: A Narrative of Prison and Army Life*, by Brevet Brigadier-General John A. Kellogg, formerly colonel of the Sixth Wisconsin Infantry (pp. xvi, 201), is one of the most interesting narratives of the sort ever anywhere written.

*Minnesota: The North Star State.* By William Watts Folwell. [American Commonwealths.] (Boston and New York, Houghton, Mifflin and Company, 1908, pp. vii, 382.) This book is written by a former president and present professor of the University of Minnesota. He urges as an apology for adding his to the list of existing Minnesota histories that he has had the good fortune to reach "original sources of information not accessible to his predecessors". Some which are mentioned among "the most important of them" raise the question as to why they were not accessible to his predecessors, if it is true that they were not. The entire absence of foot-notes or citations of authorities makes it impossible for one not conversant with these sources to judge how extensively they have been used. However, the frequent mention of manuscripts and the numerous brief quotations in the body of the text are presumptive evidence that considerable use has been made of them.

The book is decidedly popular in tone. The frequent use of slang phrases is not commendable, though they lend a sort of raciness to the style that will doubtless be pleasing to many. The conspicuous use of uncommon words and phrases is suggestive of a certain staginess that is not a usual accompaniment of serious scholarship. Whatever its demerits, the work has the decided merit of readableness. It obeys the injunction recently uttered by an eminent statesman in the hearing of many of the readers of this review, "It is better to be flippant than dry". It is better still to be neither. The author does not hesitate to incorporate a good story though, as he sometimes suggests, it may lack confirmation.

The text is subdivided into nineteen short chapters. Most of the titles are suggestive of the contents, though a few are fanciful. They

are as follows: The French Period; The English Dominion; Minnesota West Annexed; Fort Snelling Established; Explorations and Settlements; The Territory Organized; Territorial Development; Transition to Statehood; The Struggle for Railroads; Arming for the Civil War; The Outbreak of the Sioux; The Sioux War; Sequel to the Indian War; Honors of War; Revival; Storm and Stress; Clearing Up; Fair Weather; A Chronicle of Recent Events. The index covers fifteen pages. There is no bibliography. Anyone who reads this little book with care will have a fairly good understanding of the history of Minnesota. Although without confirmation elsewhere one cannot be quite sure just how much is fact and how much fiction, yet, in the main, it seems to be trustworthy.

*Lives of the Governors of Minnesota.* By James H. Baker, A.M. [Minnesota Historical Society Collections, Volume XIII.] St. Paul, the Society, 1908, pp. xii, 480.) The author has occupied several political positions in his state and has been closely associated with the men whose lives he has here sketched. In his preface he partially disarms criticism by saying, "I am fully aware of the difficulty of preserving a strict impartiality under circumstances of personal friendship. Relations of amity, or of hostility may insensibly sway the mind. I profoundly appreciate the difficulty of writing contemporaneous annals, and still more of writing the history of men yet in the midst of affairs". If he deviates from the truth it is in the direction of extravagant commendation rather than undeserved censure. His purpose seems to have been to apotheosize Minnesota's chief executives. To each of the eighteen he devotes a chapter. They are as follows: Ramsey, first territorial governor, 1849 to 1853, and second state governor, 1860 to 1863; Gorman, territorial governor, 1853 to 1857; Medary, territorial governor, 1857 to 1858; Sibley, first state governor, 1858 to 1860; Swift, third state governor, 1863 to 1864; Miller, 1864 to 1866; Marshall, 1866 to 1870; Austin, 1870 to 1873; Davis, 1874 to 1876; Pillsbury, 1876 to 1882; Hubbard, 1882 to 1887; McGill, 1887 to 1889; Merriam, 1889 to 1893; Nelson, 1893 to 1895; Clough, 1895 to 1899; Lind, 1899 to 1901; VanSandt, 1901 to 1905; and Johnson, since 1905.

The author's almost eighty years may be pleaded as an excuse for numerous errors in date, a very faulty style, and an unpleasantly obtrusive egotism. As a loving tribute of an aged man to his eminent friends, most of whom have preceded him to the grave, it is a highly commendable effort. Only as a funeral oration is the extravagantly florid rhetoric of the first chapter excusable. The style of subsequent chapters is more sober. Throughout, the volume has the good quality of being entertaining. As a means for instilling patriotism, state pride and respect for magistrates, it deserves nothing but approval.

*Transactions of the Kansas State Historical Society, 1907-1908.* Edited by George W. Martin, Secretary. Volume X. (Topeka, State Printing Office, 1908, pp. xiii, 767.) Limited space precludes even a list of the contents of this interesting and valuable volume. Secretary Martin and his collaborators as well as the writers of the various papers are to be congratulated on the production of such a painstaking and scholarly work. Fifty-six essays by nearly as many writers are crowded into its closely printed but still easily readable pages. Several of the productions are each composed of many separate papers, such as the collections of biographical sketches of members of early legislatures. Numerous foot-notes attest the care with which the work has been done and reveal a wealth of original material well worth the notice of other than Kansas historians. A carefully prepared double-column index of nearly one hundred pages enhances the usefulness of the volume. Forty-eight maps, plans, portraits, and landscapes illustrate the text.

This extensive material is conveniently grouped under seven heads: Addresses at Annual Meetings, two papers; One Hundred Years Under the Flag, fifteen papers read at the centennial celebration in 1906 of Zebulon M. Pike's action in lowering the Spanish flag and raising that of the United States in 1806 on Kansas soil near the present village of Republic; Statecraft, thirteen papers relating to territorial struggles and early state history; The Indian, nine papers telling the characteristics and doings of various Indian tribes and individuals that lived on Kansas soil; The Soldiers of Kansas, three papers regarding the participation of Kansas troops in the Civil War and in Indian struggles; Miscellaneous papers, nine; Personal Narrative, five papers of memoirs and reminiscences.

The most noteworthy contribution is the treatise on "The White Man's Foot in Kansas", by John B. Dunbar of Bloomfield, N. J., son of an early missionary to the Indians of Kansas and Nebraska, a philologist and student of the history of the American Southwest. He treats of Coronado's expedition of 1540; Of our Earliest Knowledge of Kansas; of Juan de Padilla, the pioneer missionary of Kansas, a member of Coronado's band who returned next year and lost his life in attempting to start a mission; and of Governor Oñate's explorations in Kansas, about 1600. This paper, covering nearly fifty pages, is of large interest to all students of Southwest history or of Spanish-American relations in general. Others deserving special mention are: "Some Aspects of The English Bill for the Admission of Kansas", by F. H. Hodder; Rev. Joab Spencer's two papers on the customs, manners, language, traditions, and folk-lore of two tribes of Kansas Indians; "A Royal Buffalo Hunt", by J. A. Hadley, and a second account of the same by C. M. Beeson, the royal personage of the hunting party being the present Czar's uncle, the Grand Duke Alexis, while on his special mission to this country in 1871.

*A History of the Philippines*, by David P. Barrows (Indianapolis, Bobbs-Merrill Company, 1908, pp. 332), is a new edition of a book whose first issue (1905) was commended in these columns as the best available survey of this field of history. Designed as a text-book for Philippine schools (but never so used, since its author had become director of the insular school system before it was published), it is necessarily brief; but it is far preferable to Foreman or the other popular works in English that are usually cited. It was assailed by some Catholics as unfair to Spanish friars and Jesuits, but the author states, in this second edition, that he is unable to acquiesce in the criticisms made and, after careful review, has modified only a few paragraphs. In actual fact, the attacks made on the book in 1905 and 1906 can hardly be explained except as part of a personal campaign to oust Dr. Barrows from his position at the head of the Philippine schools. He is, if anything, unduly lenient in the judgments passed in this book upon the work of friars and Jesuits, as reference to the writings of Spanish Catholics themselves would readily prove.

JAMES A. LEROY.

*Américains et Japonais*, by Louis Aubert (Paris, Armand Colin, 1908, pp. 430), gives a far better survey of Japanese-American relations than has yet been published in the English language. The pending questions are considered throughout in the light not only of study on the ground in America and the Orient and of an exhaustive examination of contemporary sources of all sorts, but with reference constantly to the historical background, as regards both nations, the Pacific ocean in the past, and the record of European contact with Asia.

*Documents relating to the Seigniorial Tenure in Canada, 1598-1854.* Edited with an Historical Introduction and Explanatory Notes by William Bennett Munro, Ph.D., LL.B., Assistant Professor of the Science of Government in Harvard University. [Publications of the Champlain Society, volume III.] (Toronto, 1908, pp. cxxiii, 380.) The documents in this volume are of a most varied nature. Each has been given its place not merely as illustrating a phase of the subject but as a type of much other material of its kind. A number of them were printed previously, mostly in works not easily accessible. The present collection is in the original languages and, accordingly, in two parts. The first, covering the period to 1760, consists of French documents, untranslated; the second, which carries the work to the abolition of seigniories, is wholly English. In length the French portion exceeds slightly the other. The historical introduction, an able survey exhibiting the relative importance of the documents, deals mainly with the French period. After the conquest, seigniorialism lost the reason for its existence, and was given merely a decent burial.

Though provision for feudal tenure was made in the earliest chapters of New France, a seigniorial system was first planted effectually by the disbandment and settlement of the Carignan-Salières regiment, according to a project submitted by Talon in 1667. Seigniorialism flourished, thus, barely a century. It was not invented for the colony. It was a contemporary French institution, decadent indeed, yet not recognized as such; and in early Canada, as in medieval France, it served a purpose as a means of defence in a turbulent time. From absenteeism and other abuses in the home land, Canadian feudalism was comparatively free. Its weakness lay in the failure of many seigniors to people their fiefs sufficiently, a failure due in part to sheer want of numbers in the colony. Feudalism, notwithstanding this disadvantage, was not the cause of Canada's fall. Rather, it gave to a population, so scant in comparison with her southern rivals, an artificial strength which retarded the English conquest, without ultimately preventing it. After 1760 many seigniors, though their rights were guaranteed in the surrender, joined the exodus to France. Their fiefs were sacrificed to English buyers, with keen insight into the revenue to be developed from feudal dues which had yielded little enough in the old days of turmoil. Feudalism as a financial speculation proved, however, to be an increasing public injury. In 1854 the tenure of the seigniors was commuted to freehold, without charge by the crown. The value of this concession was deducted from the lump sum or annual quit-rent fixed by commissioners as due to the seignior from his *habitants* for the commutation, in turn, of all his feudal privileges and claims.

The seigniorial system of Canada, in its rise and decline, is well illustrated in this collection. The available material is large. Space in the volume is economized by confining to extracts the less important documents. Important documents are given at length, notably the report of Catalogne, himself a seignior and an engineer, in 1712, and most of the report of the Commission of 1843, appointed to investigate the workings of the seigniorial system and to offer proposals for its abolition. Catalogne's report is mainly topographical. It is a trustworthy and comprehensive description of all the seigniories in New France, based on a personal inspection made at the request of the intendant.

H. M. BOWMAN.

*A Canadian Manor and its Seigneurs.* By George M. Wrong, Professor of History in the University of Toronto. (Toronto, Macmillan, 1908, pp. 295.) This attractive little volume embodies the results of an excursion which the author has made along one of the many interesting by-paths of Canadian history. The hamlet of Murray Bay, on the Lower St. Lawrence, has for many years been known as a spot to which Nature has been uncommonly kind, and its attractions of mountain, gulf and stream have served to draw to the neighborhood a select

circle of summer cottages, chiefly men of prominence in academic and political life, and among them the present president of the United States. To none of these however does it seem to have occurred until very recently that the place had a historical interest. But a rambling old manor-house with its thick walls of crude masonry seemed to hark back to seigniorial days and when Professor Wrong joined the local group of summer residents his antiquarian instincts were promptly aroused. In this volume therefore he tells the story which he has been able to glean from a patient study of local records, family letters, diaries, and other papers many of which had long since been consigned to the oblivion of the manor-house attic.

It is the story of the manor of Malbaie, which was first granted in 1653 by the Company of One Hundred Associates to Jean Bourdon, surveyor-general of New France, but which in the course of time reverted to the French crown and was re-granted in 1672 to a soldier of fortune, Philippe Gaultier, *Sieur de Comporté*. After further vicissitudes of ownership it was finally given by General James Murray, governor of Quebec, to Captain John Nairne, a Scottish soldier who came to Canada with the 78th Highlanders during the Seven Years' War and had his part in the Battle of the Plains. Nairne retired from the army on half-pay and took up his duties as seignior, accomplishing much in the development of the property. He was a prolific letter-writer with an attentive ear for general and neighborhood gossip. After the fashion of his time he kept copies of his correspondence and it is from these that Professor Wrong has been able to draw much that is both informing and of interest. Nairne was an active figure in the defence of Canada during the Revolutionary War and as major of the Royal Scottish Emigrants was mentioned for conspicuous gallantry in the hand-to-hand encounter at the Sault au Matelot. After his death in 1802 the seigniory passed to his son, Thomas Nairne, also a soldier, who served in the earlier campaigns of the War of 1812 and was killed in action at Chrysler's Farm.

It is around the careers of the two Nairnes that Professor Wrong has woven most of his interesting narrative; but in the concluding chapters of the book there is included an excellent general survey of neighborhood life during the seigniorial epoch. The author's portrayals of local types are faithful, clear and just; his attitude toward the ancient local institutions of French Canada is discriminating but thoroughly sympathetic; and although his story is one of dramatic interest he has given us real history and not historical fiction. When the time comes for the history of Canada to be written in definitive form, studies of this sort will serve greatly to smooth the historian's way.

The publishers of this volume should have a word. They have done their part with uncommon care and good taste.

WILLIAM BENNETT MUNRO.

*Tumultos y Rebeliones Acaecidos en México.* [Documentos Inéditos ó muy Raros para la Historia de México, publicados por Genaro García. Tomo X.] (Mexico, Bouret, 1907, pp. 261.) This volume contains six documents: the account by Jerónimo Sandoval of the rising of January 15, 1624, against Viceroy Gelves; that by Juan de Torres Castillo of the disturbance in Nejapa, Ixtepeji and Villa Alta in 1660; that by Antonio de Robles of the pacification in Tehuantepec in 1660; that by Cristóbal Manso de Contreras of the disturbance in Guadalcázar in 1660; that by an anonymous eye-witness of the outbreak in Mexico in 1692; and the instructions of Viceroy Marquina to the royal audiencia of Guadalajara concerning the treatment of the Indians engaged in the rising of 1800 in Tepic and the measures to be taken in consequence of that rising. Of these, only the last can be properly described as hitherto unpublished. The others are reprints from published works and belong to the class "muy raros", from which, as well as from that of "documentos inéditos", the editor of this series has compiled it. The narrative by Sandoval is reprinted from *Nuevos Autógrafos de Cristóbal Colón y Relaciones de Ultramar* (Madrid, 1902); that by Torres Castillo (Mexico, 1662), from a copy belonging to the Biblioteca Nacional of Madrid; that by Robles, from his life of Archbishop Dávalos (Mexico, 1757); that by Contreras (Mexico, 1661), from a copy in possession of Canon D. Vicente de P. Andrade; and the account of the outbreak of 1692, from vol. LXVII. of the *Colección de Documentos Inéditos* (Madrid, 1842-1895). The document relative to the insurrection of the natives at Tepic follows a manuscript in the Library of the Museo Nacional in Mexico.

Señor García says that these documents show the error of the opinion generally adopted until now that the long period of Spanish domination was characterized by an undisturbed peace. It does not seem that this is the opinion that has been generally adopted. At any rate, if such a view has obtained popular currency in Mexico, it can hardly be derived from the best known historians. The four risings to which the six documents relate—for the narratives of Torres Castillo, Robles, and Contreras deal with what are but different aspects of the same movement—have all received more or less attention from such writers as Cavo, Vetancurt, Zamacois, Alamán and Bancroft. There is in *Documentos para la Historia de México* (Mexico, 1852-1857), serie II., tom. II., III., a large mass of materials bearing on the outbreak against Gelves; and there is much more, both in manuscript and in print, in the Bancroft collection. Yet, though on the whole the inclusion of this volume in the series which Señor García is publishing can not be said to have brought any new revelation of fundamental truth, it has made more generally accessible a number of documents relative to an important aspect of the history of Mexico and may therefore be regarded as worth while.

GEORGE P. GARRISON.

*Autógrafos Inéditos de Morelos y Causa que se le Instruyo.—México en 1623 por el Bachiller Arias de Villalobos.* [Documentos Inéditos, etc., ed García, XII.] (Mexico, Bouret, 1907, pp. 281.) This volume consists as its title indicates, of two distinct parts, each with two subdivisions; the first part including (1) a series of unpublished letters by Morelos, and (2) the record in the case of the Inquisition against him. This case was, of course, distinct from that of the captivity-general of Mexico, which resulted in his conviction and execution; and the title should have been such as to show which case is meant.

This volume also is, except for the Morelos letters it contains a reprint. The record of the case against Morelos is from the *Historia del Tribunal del Santo Oficio de la Inquisición en México*, by José Toribio Medina (Santiago de Chile, 1905); and *México en 1623*, from an original in possession of the "Lafragua" Library of the College of the State of Puebla. The same library has the originals of the letters of Morelos referred to. Señor García says that the work of Medina—which, by the way, Lea found so valuable in writing *The Inquisition in the Spanish Dependencies*—has had almost no circulation in Mexico; and that the copy of the original edition of *México en 1623* in the "Lafragua" Library is the only one in existence.

The series of Morelos letters given in this volume numbers forty-six. While they perhaps form no very weighty contribution to historical knowledge, their publication must, because of the place of their writer in the history of Mexico, be welcome to the people of that republic. They serve to show that even in Mexico there are some documents worthy of notice relating to the War of Independence which have escaped the assiduous industry of Hernández y Dávalos.

A few of the documents belonging to the reprint from Medina of the case against Morelos are also to be found in the collection of Hernández y Dávalos, *e. g.*, the letter of Inquisitor Flores to Viceroy Calleja, November 23, 1815, and the reply (García, pp. 68-70; Hernández y Dávalos, VI. 11). The sentence of Morelos in the record is given also by Lea (see *The Inquisition in the Spanish Dependencies*, p. 543). In editing this document, both he and Medina followed copies—the references indicate that they did not use the same copy—in the archives of Simancas. There are, however, important variations in the matter of it as given by Lea on the one hand, and in the García reprint of the extract from Medina on the other; and it would be interesting to know how these discrepancies originated.

The second part of the volume consists of (1) an account of the ceremonies connected with the oath of allegiance which Mexico swore to Philip IV., written in prose with a liberal sprinkling of verses; and (2) a rather lengthy résumé in verse of the history of the City of Mexico up to the year 1623, entitled "Mercurio". Señor García says of it that, while it is wanting in method and style, it is a most valuable

source of information for archaeologists and historians; and this may well be believed. The reader can hardly be certain whether the title of the part including these two subdivisions, "Mexico in 1623", is due to Villalobos himself, or to the editor of the reprint. This should have been made clearer.

GEORGE P. GARRISON.

#### TEXT-BOOKS

*Readings in English History drawn from the Original Sources*, intended to illustrate a *Short History of England*, by Edward P. Cheyney. (Boston and New York, Ginn and Company, pp. xxxvi, 781). Professor Cheyney in his preface calls attention to what will at once be acknowledged as a particular merit in his book: it draws on a "greater variety of historical material" than is usual in such compilations. It is indeed a most interesting and valuable collection of illustrative material, covering the entire period of English history, and drawn from well-nigh every kind of a contemporary source. Some teachers may feel that the book is too long for high-school students. This, however, is a merit and not a fault, for no one is compelled to use everything in the book, and here is an opportunity for such teachers to make a selection quite impossible in other collections of readings on English History. The introductory paragraphs to the various selections are all that could be asked, clear, concise and instructive.

Several minor criticisms may be made. The date when the sources used were written ought to be given in every instance and words not now in common use should be defined. Professor Cheyney quotes from Howell's *Letters* as if they were authentic sources, which they are not.

RALPH C. H. CATTERALL.

*Readings in Modern European History*. By James Harvey Robinson, Professor of History in Columbia University, and Charles A. Beard, Adjunct Professor of Politics in Columbia University. Volume I. *The Eighteenth Century: The French Revolution and the Napoleonic period*. (Boston and New York, Ginn and Company, 1908, pp. xx, 410.) These readings are designed to accompany chapter by chapter the first volume of the authors' *Development of Modern Europe*. Of the hundred and eighty-four selections, each averaging about two pages in length, some three-score are from the French, a score from the German, three from Latin, and one from Spanish. The translations are spirited, and, so far as tested, accurate, except for some slips in proof-reading and the rendition of *Schlesien* by *Schleswig* (p. 80). In the English selections the spelling has been modernized, the paragraphing improved, and slight unindicated liberties taken with the original text.

A goodly number of the readings in this volume are of the constitutional kind which merit and richly reward careful study—Bossuet on

the divine nature of kingship, Montesquieu on the three powers of government, the Declaration of the Rights of Man, and many other aptly chosen decrees of the Revolutionary and Napoleonic period. A still larger number of the readings are of the interesting and lively kind, which charm and entertain, and which are valuable because they give the flavor of the olden times—Madame de Sévigné's story of how a *chef* committed suicide from chagrin because the roast did not quite go round and the fish was late when Louis XIV. was dining; Frederick the Great's wonderful *marginalia*; and delightful excerpts from Saint-Simon, Voltaire, Rousseau, Arthur Young, Thomas Jefferson and the Mercy-Argenteau correspondence. In the case of Frederick's stirring harangue before Leuthen the prefatory note, with which the authors introduce each reading, ought perhaps to indicate that this somewhat apocryphal Retzow version did not appear until more than forty years after the event and is largely concocted from the memoirs of Tempelhoff and Kaltenborn. A few of the selections seem scarcely worth while; the *ex parte* views of individuals on several wars and the deceitful proclamations on the partitions of Poland are not particularly valuable, and are likely to leave the student with a very false idea of the true motives and facts.

At the end of the volume is a bibliography of twenty well-packed pages. This is no mere list of unappreciated titles, but an excellent critical classification which guides the student quickly on to the fundamental works.

SIDNEY B. FAY.

*The Constitutions and Other Select Documents illustrative of the History of France, 1789-1907.* By Frank Maloy Anderson, Professor of History in the University of Minnesota. Second edition, revised and enlarged. (Minneapolis, H. W. Wilson Company, 1908, pp. xxvii, 693.) The first edition of this very useful source-book appeared in 1904. The principal difference between that and this is in details. Among the few documents added, the most important and most numerous relate to the very recent conflict between the French government and the Vatican. The translations have been worked over and numerous minor changes have been made. Some additional references have been inserted. The original pagination has been preserved as far as possible, so that references to the first edition will usually be found on the corresponding or the next page of this.

No work of this kind could be beyond criticism; but this perhaps approaches perfection as nearly as could be expected. All documents included are important. Some fault might be found with the proportion of the volume. About one-third is devoted to the six years from 1789 to 1795, another third to the twenty years from 1795 to 1815, and the remaining third to the century since 1815. A few periods of large importance are almost entirely ignored. For example, only six

pages are devoted to the period from 1816 to 1829. Only one document, covering about half a page, falls between the middle of 1830 and the beginning of 1848. Revolutions are not made in a moment. The preparatory steps, though not so exciting, are as interesting as the more spectacular acts of the period of violence, and often more important. Few students of the period, however, would be willing to have these faults, if indeed they be considered faults, corrected by omitting any considerable number of documents given.

## NOTES AND NEWS

### GENERAL

John Boyd Thacher, author of *The Continent of America: Its Discovery and its Baptisms*, of *The Cabotian Discovery*, of *Christopher Columbus: His Life, His Work, His Remains*, and of other works, died in Albany on February 25, at the age of sixty-one.

Professors Gross and Haskins will be absent from Harvard University during the second half-year, spending the period in Europe. The absence of the former is due to recent illness. His place is supplied by Dr. Charles L. Wells of New Orleans, formerly professor in the University of Minnesota.

Professor Herbert E. Bolton of the University of Texas has accepted an appointment as professor of American history in the Leland Stanford Junior University, and begins work there in October. Dr. Edward B. Krehbiel of the University of Chicago goes there at the same time as associate professor of modern history. Dr. Krehbiel's Adams Prize essay on the Interdict under Innocent III. will soon be in the hands of the printer, for publication as the first of the American Historical Association's new series of prize essays.

Professor Ernst Daenell of the University of Kiel is spending some months in Washington, engaged in preparations for the writing of a history of the United States in the series of *Allgemeine Staatengeschichte* edited by Professor Lamprecht.

An international congress of archivists and librarians will be held at Brussels in 1910. Reports on various questions will, so far as possible, be printed and distributed in proof before the opening of the congress. The committee of organization is as follows: president, M. A. Gaillard, archivist general of the kingdom; vice-president, Father Van den Gheyn, conservator of manuscripts at the Royal Library of Belgium; secretary, M. L. Stainer, adjunct-conservator at the Royal Library; treasurer, M. H. Van der Haeghe, chief of section in the general archives of the kingdom.

Mr. N. W. Thomas has issued his second annual *Bibliography of Anthropology and Folk Lore* (London, Nutt, 1908, pp. 74), containing titles of works published within the British Empire during 1907. The entries number 874.

The *Historisch-Pädagogischer Literatur-Bericht* for 1907 (Berlin, Hofmann, 1908, pp. vi, 248) has been published as the seventeenth

*Beiheft of the Mitteilungen der Gesellschaft für Deutsche Erziehungs- und Schulgeschichte.*

Dr. G. F. Black of the New York Public Library has issued a provisional *Bibliography of the Gypsies*, printed privately for the members of the Gypsy Lore Society, 6 Hope Place, Liverpool (1909, pp. 139), and distributed in order that those interested may aid in making the work as complete as possible by reporting errors and omissions.

M. Salomon Reinach of the French Academy has published an extensive work entitled *Orphéus, Histoire Générale des Religions* (Paris, Champion, 1909, pp. 650).

*Henry Charles Lea's Historical Writings* (New York, J. F. Wagner) is an inquiry into their method and merit by Dr. Paul Maria Baumgarten.

*A Syllabus on Historical Geography*, by Mr. Don E. Smith of the University of California (Berkeley, University Press, 1908, pp. 47), is intended for beginners in this field. An introductory bibliographical note is followed by syllabi of fifteen topics—relation of man to geographical environment; physiography of Europe; ethnography of Europe; the earliest civilized lands; Alexander's empire, etc.

The Library of Congress has issued a *List of References on International Arbitration* (pp. 151), compiled under the direction of Mr. A. P. C. Griffin.

Noteworthy articles in periodicals: W.-M. Kozłowski, *L' Idée d'une Philosophie Sociale comme Synthèse des Sciences Historiques et Sociales* (*Revue de Synthèse Historique*, October).

#### ANCIENT HISTORY

Under the title *Classification Paléthnologique* (Paris, Schleicher, 1908, pp. 60), M. A. de Mortillet gives a short résumé of the classification of the great stages in the development of prehistoric civilization in Europe, especially in the West, accompanied by figures of objects typical of each stage.

R. R. Marett's *The Threshold of Religion* (London, Methuen, pp. xix, 173), contains five studies in comparative religion reprinted from *Folk-Lore* and elsewhere.

M. J. Toutain's *Études de Mythologie et d'Histoire des Religions Antiques* (Paris, Hachette) contains critical papers which have appeared in periodical publications and books of reference, here grouped into three sections—general papers and questions of method; Greek mythology and religion; and the mythology and religion of Rome and the Roman world.

*Au Temps des Pharaons* (Paris, Colin) by A. Moret, adjunct conservator of the Musée Guimet, treats of the restoration of the Egyp-

tian temples, Pharaonic diplomacy, Egypt before the Pyramids, the Book of the Dead, Magic in Ancient Egypt, and "Autour des Pyramides".

The University of Chicago Press has published the first part, with two maps, of *Researches in Assyrian and Babylonian Geography* (Chicago, 1909, pp. 59).

Professor J. P. Mahaffy is publishing through Putnams the Lowell lectures delivered by him in 1908-1909, which have been brought together into a volume entitled *What Have the Greeks Done for Civilization?*

The first half of the second volume of Julius Kaerst's *Geschichte des Hellenistischen Zeitalters* (Leipzig, Teubner, pp. xii, 430), continues the historical narrative to the battle of Ipsus. The principal part of the book, however, is a detailed description of Hellenistic culture and of the Hellenistic state, wherein it is attempted to make clear the essence of Hellenism in its various manifestations.

In the first fascicle of the seventeenth volume of the transactions of the Reale Accademia dei Lincei, session of January 19, 1908 (Rome, Salviucci, 1908, pp. 1-38), Professor Ettore Pais discusses the value as an historical source of the *Fasti* of the ancient Roman republic.

The first number has appeared of the quarterly *Studi Storici per l'Antichità Classica* (Pisa, Enrico Spoerri), edited by Professor Pais, the intended publication of which has been noted in these pages (XIII. 401). It contains, besides reviews and notices, the following articles: I Duci dei Sanniti nelle Guerre contro Romo, by G. Beloch; La così detta Retra di Licurgo, by G. Niccolini; Sulla Cronologia della Prima Guerra Macedonica, I, by V. Costanzi; Antifonte? by G. Pasquali; Delle Guerre dei Romani coi Liguri per la Conquista del Territorio Lunese-Pisano, by A. Solari; L'Autobiografia ed il Processo "Repetundarum" di P. Rutilio Rufo, I., II., by E. Pais.

The Macmillan Company announces for publication during the spring a work by Professor G. W. Botsford on *The Roman Assemblies*.

Professor Guglielmo Ferrero's Lowell lectures, 1908, are being published by Putnams under the title *Characters and Events of Roman History*. The topics considered are: Corruption in Roman History; History and Legend of Antony and Cleopatra; Roman Conquest of Gaul; Julia and Tiberius; Wine in Roman History; Nero; Roman History and Modern Education.

In E. H. Parker's work, *Ancient China Simplified* (London, Chapman and Hall), the author, who is professor of Chinese in the Victoria University of Manchester, describes conditions in China during several centuries following the middle of the ninth century B. C., when, as he believes, the historical life of China began.

Noteworthy articles in periodicals: G. B. Grundy, *Herodotus the*

*Historian* (Quarterly Review, January); M. Rostowzew, *Geschichte des Ost- und Süd-Handels im Ptolemäisch-Römischen Ägypten* (Archiv für Papyrusforschung, IV. 3, 4); F. Schemmels, *Die Hochschule von Athen im 4. und 5. Jahrhundert p. Chr. N.* (Neue Jahrbücher für das Klassische Altertum, XI. 9).

#### MEDIEVAL HISTORY

Apropos of J. Kulischer's recent work, *Warenhaendler und Geldhaendler im Mittelalter*, which has been printed separately from the seventeenth volume of the *Zeitschrift für Volkswirtschaft, Socialpolitik und Verwaltung*, Dr. F. Arens has contributed an article on medieval trade in money and in commodities to the December number of the *Revue de Synthèse Historique*.

Under the direction of Professor A. Cartellieri, Dr. Wolf Stechele has edited the *Chronicon Universale Anonymi Laudunensis*, from 1154 to the conclusion of the chronicle in 1219 (Leipzig, Dyksche Buchhandlung; Paris, Picard, 1909, pp. 85).

The fourth fascicle of the first volume of the *Archivum Franciscanum Historicum*, published at Quaracchi, contains among other matter a plan for preparing a history of the Franciscan order in the old French provinces, by Father A. Béguet, and the continuation of an article by Father Pérez on the Franciscans in the Far East.

Mr. C. Raymond Beazley is understood to be elaborating his Lowell Institute lectures of last year into a book, to bear probably the title of *European Expansion in the Fifteenth Century*, and to extend over the period from 1415 to 1488.

Documentary publications: R. Wolkan, *Briefwechsel des Eneas Silvius Piccolomini*, I., *Briefe aus der Laienzeit (1431-1445)*, 1, *Privatbriefe* [Fontes Rerum Austriacarum, II., *Diplomataria et Acta*] (Historical Commission of the Academy of Sciences, Vienna, Hölder, 1909, pp. xxviii, 595).

Noteworthy articles in periodicals: W. Norden, *Prinzipien für eine Darstellung der Kirchlichen Unionsbestrebungen im Mittelalter* (Historische Zeitschrift, CII. 2).

#### MODERN HISTORY

Messrs. Bell have published in Bohn's library a translation, revised by Mr. G. R. Dennis, of Ranke's *History of the Latin and Teutonic Nations, 1494-1514*. Mr. Edward Armstrong has contributed an introduction. The earlier translation in the same collection has long been out of print.

The sixth number in the series of *Neue Studien zur Geschichte der Theologie und der Kirche* (Berlin, Trowitzsch), edited by N. Bon-

wetsch and R. Seeberg, is *Thomas Campanella, ein Reformator der ausgehenden Renaissance* (1909, pp. xvi, 154) by Professor J. Kvačala.

M. Arthur Chuquet is the director of a new journal of modern history, *Feuilles d'Histoire du XVII<sup>e</sup> au XX<sup>e</sup> Siècle* (Paris, rue de Fleurus, 38). When the first number was published in February, a bi-monthly issue was intended; now, however, a monthly issue is proposed. The first number includes articles on *Les Mémoires de Primi*, by A. Chuquet; *Les Lois de la Monarchie*, by René Pigal; *Lord Cromer et la Question d'Égypte*, by Achille Biorès; unpublished documents and miscellaneous matter.

An account of the negotiations by which in the eighteenth century France tried to renew the alliance with the Sublime Porte concluded in the sixteenth century by Francis I. is being published by L. Rousseau under the title *Les Relations Diplomatiques de la France et de la Turquie au XVIII<sup>e</sup> Siècle* (Paris, de Rudeval, 1908, pp. 396). The first volume embraces the period from 1700 to 1716.

The first volume of the Historical Research Society of Siam, entitled the *Phra-Rājavicāraṇa*, contains the reminiscences of a sister of the first king of the present dynasty, from 1767 to 1820, edited by the present king with a commentary, notes, and documents from the royal archives which throw new light on the relations of Siam with its dependencies and other countries.

The eleventh volume of the *Cambridge Modern History* is entitled *The Growth of Nationalities* (New York, Macmillan, 1909, pp. 1044). The period covered in the history of most of the European states extends from 1840 or 1845 to about 1870, but the history of Switzerland, the Scandinavian countries, India and the Far East is begun about the year 1815.

The British officers attached to the Japanese and Russian forces in the field, during the campaign of 1904-1905 in Manchuria, have published their reports in three volumes, and two cases of maps, entitled *The Russo-Japanese War* (London, Wyman).

From the authoritative pen of Professor E. G. Browne comes a *Brief Narrative of Recent Events in Persia, with a translation of the Four Pillars of the Persian Constitution* (London, Luzac, pp. 101).

A translation of a *History of Contemporary Civilization* by M. Ch. Seignobos has been edited by Professor J. A. James, and issued by Scribners (1909).

Documentary publications: Comte Henry de Castries, *Les Sources Inédites de l'Histoire du Maroc, 1530-1845*, Première Série, *Archives et Bibliothèques de Pays Bas*, II. (Hague, Nijhoff); J. Šusta, *Die Römische Kurie und das Konzil von Trient unter Pius IV.* [Aktenstücke zur Geschichte des Konzils von Trient, II.] (Historical Commission of the

Academy of Sciences, Vienna, Hölder, 1909, pp. xxvii, 605); H. Günter, *Die Habsburger-Liga, 1625-1635; Briefe und Akten aus dem General-Archiv zu Simancas* [Historische Studien, 62, published by Dr. E. Ebering] (Berlin, Ebering, 1908, pp. xvi, 487); G. de Grandmaison, *Correspondance du Comte de la Forest, Ambassadeur de France en Espagne, 1803-1813*, III., October 1809-June 1810 (Paris, Picard, 1909, pp. 492) [published for the Société d'Histoire Contemporaine]; L. Schemann, *Correspondance entre Alexis de Tocqueville et Arthur de Gobineau, 1843-1850* (Paris, Plon, pp. 355).

Noteworthy articles in periodicals: P. Feret, *Une Négociation Secrète entre Louis XIV. et Clément XI. en 1715* (Revue des Questions Historiques, January); É. Driault, *Bonaparte et le Recès Germanique de 1803* (Revue Historique, January-February); P. Muret, *La Question Romaine en 1849 et le Problème des Alliances en 1869 et 1870, d'après un Ouvrage Récent* (Revue d'Histoire Moderne et Contemporaine, December); William R. Thayer, *Cavour and Bismarck* (Atlantic Monthly, March).

#### GREAT BRITAIN AND IRELAND

Mr. Arthur M. Burke's *Key to the Ancient Parish Registers of England and Wales* (London, The Sackville Press) gives the date of the earliest entry in every parish register throughout England and Wales, with references to all cases in which transcripts have been printed, and a few other notes.

M. H. G. Harrison intends to publish a two-volume *Bibliography of British Monasticism*, which aims at being a complete guide to the manuscripts and printed works (general and topographical) relating to the religious orders and houses in the British Isles from the earliest times to the end of the nineteenth century.

A new impression of Mr. J. Horace Round's *Feudal England*, long out of print, has been issued by Sonnenschein, London.

In the *Bibliothèque de l'École des Chartes* for September-December, M. L. Delisle catalogues 109 original charters of Henry II. and twenty documents emanating from other kings and from various dignitaries from the time of William the Conqueror to 1170. All these manuscripts, which are preserved in various English depositories, have been photographed by the Rev. H. Salter, and are accessible in this form in the Bibliothèque Nationale.

*The Age of Owain Gwynedd* (London, Nutt, 1908) by Paul Barbier of the University of Leeds is an account of the history of Wales from 1135 to 1170, the period just prior to the loss of Welsh independence when the struggle with the Anglo-Norman monarchy was at its height.

Under the title *Die Ältesten Streitschriften Wiclifs* (1908, pp. 74), Professor J. Loserth has published in vol. CLX. of the *Sitzungsberichte*,

*phil.-hist. Kl.*, of the Academy of Sciences in Vienna (Vienna, Hölder), studies relating to the beginnings of Wiclif's activity in church politics and to the transmission of his writings.

The first volume of a work of unique value to students of English history has been issued by the Oxford University Press under the title *Historical Portraits: Richard II. to Henry Wriothesley, 1400-1600*. The volume contains a general introduction on the history of portraiture in England, and one hundred and eight portraits, with brief biographies. The lives have been written by Mr. C. R. L. Fletcher, and the portraits chosen by Mr. Emery Walker. It is hoped to extend the series to the middle of the nineteenth century.

The Earl of Crawford expects to bring out in March or April, 1909, his great series of Tudor and Stuart proclamations, in four quarto volumes, embracing many documents additional to those mentioned in his *Hand-List of Proclamations*.

The third volume of *The Cambridge History of English Literature* (Cambridge University Press) is entitled *Renaissance and Reformation* and includes chapters on "Reformation Literature in England", by the Rev. J. P. Whitney, "Reformation Literature in Scotland", by Professor P. Hume Brown, "The Dissolution of the Religious Houses", by the Rev. R. H. Benson, and "Chroniclers and Antiquaries", by Mr. Charles Whibley.

Students of the history of education will welcome Professor Foster Watson's *Tudor Schoolboy Life: The Dialogues of Jean Luis Vives* (London, Dent). Professor Foster has translated the dialogues, which were published by Vives in 1538 to train boys in colloquial Latin, and which incidentally throw light on the school-boy's daily life.

The tercentenary of Milton's birth has brought forth a harvest of appropriate publications, of which the most noteworthy is Professor C. H. Firth's paper on *Milton as an Historian*, published by the Oxford University Press from the *Proceedings of the British Academy*, volume III. From the same volume of *Proceedings* comes *A Consideration of Macaulay's Comparison of Dante and Milton*, by W. J. Courthope.

*Christ's College Magazine* for Michaelmas term, 1908 (Cambridge, University Press), is a Milton tercentenary number including among other brief articles two on Milton and his College and one on the Political Philosophy of John Milton.

The Rev. John Willcock, whose meritorious biography of the ninth earl of Argyll has been noted in these pages (XIII. 681), is writing a Life of Clarendon based in part upon the considerable fresh material discovered since Lister's *Life* was published.

*Sir William Temple* (Oxford, Blackwell, 1908, pp. 138) is the subject of the Gladstone Essay for 1908, by Mr. Murray L. R. Beaven.

Mr. John Lane is publishing *The Last Journals of Horace Walpole*, two volumes, edited by Mr. A. F. Steuart.

*The Royal Society: Some Account of the 'Letters and Papers' of the Period 1741-1806 in the Archives with an Index of Authors* (Oxford, printed for the author, 1908, pp. 73), a brochure compiled by Dr. A. H. Church, F. R. S., treats of a series of manuscripts numbering over 36,000, contained in 127 volumes. While the majority of these documents have been published in the *Philosophical Transactions*, some have never appeared in print. Dr. Church's somewhat desultory notes upon the unpublished papers refer to the following by American authors: a letter from Benjamin Franklin, dated February 4, 1751, which he prints (pp. 10-13); a copy by Peter Collinson of part of a letter to him from Franklin, dated September 23, 1756, relative to his having been chosen a member of the Royal Society (printed on p. 14); and a letter dated November 16, 1774, from Professor John Winthrop of Cambridge, who sends a transcript of the inscription on Dighton Rock. A letter from Capt. James Cook, dated from Rio de Janeiro, November, 1768, is printed in full (pp. 17-18).

In *The County Lieutenancies and the Army, 1803-1814* (London, Macmillan, pp. xix, 328), Mr. J. W. Fortescue describes the measures adopted by Pitt and other British statesmen to recruit the British army during the Napoleonic wars.

Captain Josceline Bagot has published a largely documentary work in two volumes entitled *George Canning and his Friends* (London, Murray, 1909, pp. xiii, 423, 463), comprising a selection from the private Canning correspondence in the possession of Lord Clanricarde, the editor and others, covering nearly the whole of the statesman's official career.

Mr. and Mrs. Sidney Webb will soon publish through Longmans a book on *English Poor Law Policy, 1834-1908*.

The Essex Archaeological Society has arranged to reprint a small edition of the first five volumes of its *Transactions* (1858-1873), which are now very costly and difficult to obtain. They include some papers of especial interest to American genealogists. Subscribers' names should be sent to the Manager, The St. Catherine Press, 8 York Buildings, Adelphi, London, W. C.

The Cambridge University Press will shortly issue the third and concluding volume of Professor Hume Brown's *History of Scotland*, covering the period from 1689 to 1843.

Dr. David Hay Fleming, until recently the honorary secretary of the Scottish History Society, is publishing through Hodder and Stoughton a work on the *Reformation in Scotland: Its Causes, Characteristics and Consequences*, an enlargement of the Stone Lectures for 1907-1908.

Mr. Fisher Unwin is publishing a new work on *Pre-Historic Rhodesia*, by Mr. R. N. Hall, who has already issued two volumes on the same subject.

British government publications: *Calendar of Close Rolls*, Henry III., 1234-1237; *Inquisitions and Assessments relating to Feudal Aids*, 1284-1431, vol. V., Stafford-Worcester; *Register of the Privy Seal of Scotland*, I., 1488-1529.

Other documentary publications: A. O. Anderson, *Scottish Annals from English Chroniclers, A. D. 500 to 1286*, chronologically arranged, translated, and annotated (London, Nutt, pp. xvi, 402).

Noteworthy articles in periodicals: F. Liebermann, *Einleitung zum Statut der Londoner Friedensgilde unter Æthelstan* (reprinted from the *Mélanges Fitting*); Sir Henry Wotton (Quarterly Review, January); E. von Halle, *Die Company of Merchant Adventurers und der Ausgang ihrer Niederlassung in Hamburg, 1808* (Internationale Wochenschrift, II. 14, 15); Herbert Paul, *George Canning* (New Quarterly, January); Mgr. Ward, *English Catholics in the Eighteenth Century* (Dublin Review, January); *Whigs and Radicals before the Reform Bill* (Edinburgh Review, January); *The Victorian Chancellors* (Edinburgh Review, January); O. Krauske, *Macaulay und Carlyle* (Historische Zeitschrift, CII. 1); K. Vollers, *Lord Cromer und sein Egypten* (Historische Zeitschrift, CII. 1); *Scotland in the Eighteenth Century* (Edinburgh Review, January); R. Dunlop, *Truth and Fiction in Irish History* (Quarterly Review, January).

#### FRANCE

M. Léon Le Grand of the Archives Nationales is preparing for the Librairie Champion a work on the sources for the history of France before 1789 in those archives. Ch. Schmidt's *Les-Sources de l'Histoire de France depuis 1789 aux Archives Nationales* was published by the same house.

To carry out an arrangement made last year between the Ministries of Justice and of Public Instruction, the procurators general are depositing in the departmental archives the political documents prior to 1855 preserved in the archives of their offices. These consist principally of the reports periodically compiled by the procurators general on the political, moral and economic conditions in their districts, together with the documents on which these reports are based.

The well-known epigraphist E. Espérandieu has published the second volume of his *Recueil Général des Bas-Reliefs de la Gaule Romaine* (Paris, Impr. Nationale, 1908, pp. viii, 478), the first volume of which appeared in 1907.

The eighth volume of *Memoirs and Documents* published by the Society of the École des Chartes contains studies in history and political

geography by G. de Manteyer relating to *La Provence du I<sup>er</sup> au XII<sup>e</sup> Siècle* (Paris, Picard).

M. Barroux's *Essai de Bibliographie Critique des Généralités de l'Histoire de Paris* (Paris, Champion, 1908, pp. vi, 153), is a selected, annotated, classified list of the best works on the history of Paris.

Émile Mâle, whose work, *L'Art Religieux du XIII<sup>e</sup> Siècle en France*, was crowned by the Academy of Inscriptions and Belles-Lettres, has issued a sequel to that volume entitled *L'Art Religieux de la Fin du Moyen Age en France: Étude sur l'Iconographie du Moyen Age et sur ses Sources d'Inspiration* (Paris, Colin, 1908, pp. 550), in which the history of art is studied in relation to the history of ideas.

Under the title *Dante e la Francia, dall' Età Media al Secolo di Voltaire* (Milan, Hoepli, pp. xxvi, 560; xiv, 381), Professor Arturo Farinelli has written a work of immense learning which is virtually "a history of the influence of Italian culture in France" for the period treated.

We have already noted (XIII. 211) an important work contributed by M. Jean Guiraud to the history of Languedoc. The same author has recently published three additional volumes under the title *Inventaires Languedociens du XIV<sup>e</sup> Siècle* (Paris, Picard). The first volume consists of an essay on private life in Languedoc in the fourteenth century; the second gives the text of the inventories; the third contains a glossary of the inventories, forming a supplement to the *Glossarium* of Ducange.

Students of English history as well as of French history will welcome R. Delachenal's important two-volume *Histoire de Charles V. (1338-1364)* (Paris, Picard).

MM. Hachette are publishing the second volume of M. P. Imbart de la Tour's *Les Origines de la Réforme*. This volume, entitled *L'Eglise Catholique, La Crise et la Renaissance*, is a comprehensive study of the Roman Catholic Church at the advent of Luther.

The *Bulletin* of the New York Public Library for January contains the text of an interesting group of documents relating to the administration of the Isle de Bourbon, 1701-1710.

The second part of the eighth volume of M. E. Lavisse's *Histoire de France* relates to *Le Règne de Louis XV. (1715-1774)* (Paris, Hachette), and is by M. H. Carré, of the University of Poitiers.

*The Life of Philibert Commerson, D. M., Naturaliste du Roi* (1909, pp. xvii, 242), by the late Captain S. Pasfield Oliver, edited by G. F. Scott Elliot, has been published by Murray. Commerson accompanied Bougainville in his voyage around the world (1766-1769), and his letters deal, among other things, with the Argentine, Tahiti, Madagascar and the French colony at Mauritius.

The eminent economist Maxime Kovalevsky, of the University of St. Petersburg, has published a work on *La France Économique et Sociale à la Veille de la Révolution* (Paris, Girard).

The Commission on the Economic History of the French Revolution has decided upon the publication of the *procès-verbaux* and reports of the Committees on Mendicity and on Public Aid. The work has been entrusted to MM. Camille Bloch and A. Tuetey.

The third fascicle of M. P. Caron's *Bibliographie des Travaux publiés de 1866 à 1897 sur l'Histoire de la France depuis 1789* (Paris, Cornély, 1908, pp. 160), is entirely devoted to military history. The fourth fascicle, which will appear this spring, will contain the concluding portion of military history, religious history, and the beginning of economic and social history.

M. Vitrac has reprinted *Le Journal du Comte P. L. Roederer* (Paris, Daragon, 1909), a series of notes which form an important source of information for the period of the Consulate. A small edition was published over fifty years ago, but the work had become very rare.

Frédéric Masson's two volumes entitled *Autour de Sainte-Hélène* (Paris, Ollendorff) give many interesting details connected with Napoleon's last years.

In preparing his work on *Frère d'Empereur: Auguste de Morny et la Société du Second Empire*, M. Frédéric Loliée has been permitted to examine unprinted documents of the Ministry of the Interior, including the Archives Secrètes de la Sûreté.

We noted some time ago (XII. 949) the appointment of a commission to publish the diplomatic papers of the French Foreign Office relating to the origin of the Franco-German war. It is understood that the first two volumes, in course of publication, deal with the years 1864 and 1865. It is probable that at least eight volumes will be published, and that the series will not be completed for many years.

The fourth volume of M. G. Hanotaux's *Histoire de la France Contemporaine* (Paris, Furne), bears the sub-title *La République Parlementaire* and extends from the formation of the cabinet of the Duc de Broglie after May 16, 1877, to the death of Gambetta on December 31, 1882.

Documentary publications: Ch.-V. Langlois, *Doléances Recueillies par les Enquêteurs de Saint Louis et des Derniers Capétiens Directs* (Revue Historique, January-February); *Les Requêtes du Palais (XIII<sup>e</sup>-XVI<sup>e</sup> Siècle): Style des Requêtes du Palais au XV<sup>e</sup> Siècle* (Bibliothèque de l'École des Chartes, September-December); *Recollections of Baron de Frénilly, 1768-1828*, edited with introduction and notes by A. Chuquet, translated by F. Lees (London, Heinemann; New York, Putnams, 1909, pp. 402); A. Keller, *Correspondance, Bulletins et*

*Ordres du Jour de Napoléon, I., De Brienne au 13 Vendémiaire* (Paris, Mericant); A. Tuetey, *Les Papiers des Assemblées de la Révolution aux Archives Nationales: Inventaire de la Série C., (Constituante, Législative, Convention)* [Society for the History of the French Revolution] (Paris, Cornély, pp. xviii, 300); Prince Murat, *Lettres et Documents pour servir à l'Histoire de Joachim Murat, 1801-1815, II., Armée d'Observation du Midi, con.; République Cisalpine: République Italienne* (Paris, Plon, 1909); Princess Radziwill, *Duchesse de Dino (puis Duchesse de Talleyrand et de Sagan): Chronique, I., 1831-1835* (Paris, Plon); E. Rousse, *Lettres à un Ami, I., 1845-1870; II., 1870-1880* (Paris, Hachette) [includes a diary kept during the siege of Paris and the commune; M. Rousse had become attorney general shortly before]; G. Bapst, *Maréchal de Canrobert, IV.* [Memoirs, 1868-1870] (Paris, Plon); Élie Reclus, *La Commune au Jour le Jour, 18 Mars-28 Mai, 1871* (Paris, Schleicher, 1908).

Noteworthy articles in periodicals: J. Calmette and P. Vidal, *Les Régions de la France, VI., Le Roussillon, I.* (Revue de Synthèse Historique, December); P. Richard, *Origines de la Nonciature de France* (Revue des Questions Historiques, January); J. Letaconnoux, *Les Transports en France au XVIII<sup>e</sup> Siècle, concl.* (Revue d'Histoire Moderne et Contemporaine, January); A. Girard, *La Réorganisation de la Compagnie des Indes, 1719-1723, concl.* (Revue d'Histoire Moderne et Contemporaine, December); De Sérignan, *La Vie aux Armées sous la Révolution, concl.* (Revue des Questions Historiques, January); P. Caron, *La Question des "Volontaires", à propos d'une Enquête en Cours* (Revue d'Histoire Moderne et Contemporaine, January); Ch. Bournisien, *La Vente des Biens Nationaux: L'Application des Lois* (Revue Historique, January-February); G. Monod, *Michelet, de 1843 à 1852* (Revue de Synthèse Historique, December); Sir Ernest Satow, *The Establishment of the Third Republic* (Quarterly Review, January).

### ITALY

*Siena: The Story of a Medieval Commune* (Scribners, 1909), by Professor Ferdinand Schevill, long in preparation, is now about to appear.

Mr. Edward Hutton has rendered a service to students of Italian history by bringing out a new edition of the standard work *Memoirs of the Dukes of Urbino, illustrating the Arms, Arts, and Literature of Italy, 1440-1630*, by James Dennistoun of Dennistoun (New York, John Lane, three volumes). By means of editorial notes, which contain abundant references to the latest authorities, the work has been brought up to date. A full index and over a hundred illustrations have been added.

Mrs. H. M. Vernon's *Italy from 1494 to 1790*, recently issued in the

Cambridge Historical Series (Cambridge University Press), treats with especial fullness the period subsequent to 1559.

Unpublished letters of Victor Emmanuel I., Charles Felix, Charles Albert and others, and two memorials by King Charles Albert, are included in a volume entitled *Dieci Anni di Storia Piemontese, 1814-1824* (Turin, Bocca), edited by Count Mario degli Alberti for the Piedmont committee of the Società per la Storia del Risorgimento.

Under the title *Last Days of Papal Rome*, Messrs. Constable (London), are publishing a translation by Miss Helen Zimmern of a work by R. de Cesare, which the author has abridged for the purpose of this translation. The period covered extends from 1850 to 1870.

Documentary publications: P. F. Kehr, *Regesta Pontificum Romanorum: Italia Pontificia*, III., *Etruria* (Berlin, Weidmann, 1908, pp. lii, 492).

#### GERMANY, AUSTRIA, SWITZERLAND

The Verdun prize, which is awarded every five years to the author who during that period has made the most notable contribution to German historical writings, has been given to Dr. S. von Riezler of Munich for his *Geschichte Bayerns*.

The eleventh volume of Professor Felix Dahn's *Die Könige der Germanen* treats of *Die Burgunden* (Leipzig, Breitkopf and Härtel, 1908, pp. xxi, 258).

The third volume of the *Geschichte des Deutschen Volkes und seiner Kultur*, by Heinrich Gerdes (Leipzig, Duncker and Humblot), is devoted to the Hohenstaufens and their time, especially to the inner development of the period.

No connected account of the history of German humanistic historical writing has appeared in recent years except that in the first part of Wegele's history of German historiography. Hence there was need of such a comprehensive work as Paul Joachimsen's *Geschichtsauffassung und Geschichtschreibung in Deutschland unter dem Einfluss des Humanismus*, which is being published by Teubner (Leipzig).

A six-volume edition of the works of Aventinus has recently been completed by the issue of the last volume, which contains among other matter the hitherto unprinted text of the *Germania Illustrata*. The work may be obtained from C. Kaiser, Marienplatz, Munich.

An atlas containing 1760 reproductions of old copper and wood engravings, illustrating German life from the fifteenth to the eighteenth century, has been published by Eugen Diedrichs in two volumes entitled *Deutsches Leben der Vergangenheit in Bildern*. The illustrations are not the same as those in the excellent series of *Monographien*.

Dr. J. Schmidlin is contributing a work on *Die Kirchlichen Zustände in Deutschland vor dem 30jährigen Kriege nach den Bischöflichen*

*Diözesanberichten an den Hl. Stuhl* to the series of *Erläuterungen und Ergänzungen* to L. Pastor's edition of Janssen's history of the German people. The first two hefts of the seventh volume of the *Erläuterungen* comprise the first part of Dr. Schmidlin's work, relating to Austria (Freiburg, Herder, 1908, pp. lxvi, 187).

A contribution to the history of the economic policy of the Prussian sovereigns in the eighteenth century, *Die Entwicklung der Leinen-, Woll- und Baumwollindustrie in der ehemal. Grafschaft Mark unter Brandenburg-Preussischer Herrschaft* (Münster, F. Coppenrath, 1909, pp. vii, 128), by Dr. A. Overmann, forms the nineteenth number in the series of *Münstersche Beiträge zur Geschichtsforschung*, edited by Professor Aloys Meister and his colleagues.

A large amount of contemporary historical material, including illustrations and extracts from letters, periodicals, diplomatic papers and many other forms of writing, has been brought together in the two volumes issued by Friedrich Schulze under the title *Die Franzosenzeit in Deutschland 1806-15 in Wort und Bild der Mitlebenden* (Leipzig, Voigtländer).

Mr. W. H. Dawson's book on *The Evolution of Modern Germany* (London, Unwin; New York, Scribners) describes the transformation of the country from the middle of the last century to the present day.

A work by Count Julius Andrassy, dealing with the period from 896 to 1619, has been translated by C. Arthur and Ilona Ginever under the title *The Development of Hungarian Constitutional Liberty* (London, Kegan Paul, pp. 465).

Of much importance for the more recent constitutional development are the Hon. C. M. Knatchbull-Hugessen's two large volumes on *The Political Evolution of the Hungarian Nation* (London, National Review Office).

Professor K. Dändliker, the well-known authority on Swiss history, is writing a *Geschichte der Stadt und des Kantons Zürich* (Zurich, Schulthess), the first volume of which comes down to 1400 and includes a plan of medieval Zurich.

The third part of volume eight, new series, of *Mémoires et Documents*, published by the Society for the History and Archaeology of Geneva (Geneva, Jullien), consists of a long monograph on commerce and industry at Geneva during the French domination, 1798-1813, written from unpublished documents by É. Chapuisat (1908, pp. 355-699). The first part of the eleventh volume of the same series contains an illustrated paper by E. Demole on the numismatics of the bishopric of Geneva in the eleventh and twelfth centuries, and an essay by É.-L. Burnet on the chronology used in the charters of the diocese of Geneva in the twelfth century.

Documentary publications: *Inventare des Grossherzogl. Badischen General-Landesarchivs*, III. (Karlsruhe, Müller, 1908, pp. vi, 264); A. Werminghoff, *Concilia Aevi Karolini*, I., II. [Monumenta Germaniae Historica] (Hanover, Hahn, 1908, pp. xi, 467-1015); O. Holder-Egger, *Alberti de Bezanis, Abbatis S. Laurentii Cremonensis, Cronica Pontificum et Imperatorum* [Scriptores Rerum Germanicarum in Usum Scholarum] (Hanover, Hahn, 1908, pp. xviii, 154); E. Baasch, *Quellen zur Geschichte von Hamburgs Handel und Schiffahrt im 17., 18. und 19. Jahrhundert*, Heft 1 (Hamburg, 1908, pp. 170).

Noteworthy articles in periodicals: A. Brackmann, *Über den Plan einer Germania Sacra* (Historische Zeitschrift, CII. 2); S. Rietschel, *Die Städtepolitik Heinrichs des Löwen* (Historische Zeitschrift, CII. 2); A. Bugge, *Kleine Beiträge zur ältesten Geschichte der Deutschen Handelsniederlassungen im Auslande* (Vierteljahrschrift für Sozial- und Wirtschaftsgeschichte, VI. 2); F. M. Schieles, *Luther und das Luthertum in ihrer Bedeutung für die Geschichte der Schule und der Erziehung* (Preussische Jahrbücher, CXXXII. 3); K. Müller, *Die Anfänge der Konsistorialverfassung im Lutherischen Deutschland* (Historische Zeitschrift, CII. 1).

#### NETHERLANDS AND BELGIUM

The thirtieth report on the historical archives of the Netherlands, *Verslagen omtrent 's Rijks Oude Archieven, 1907* (Hague, 1908, pp. 799), contains the usual accounts of progress and accessions in both the archive at the Hague and those in the provinces and of the use made of them by historians, the latter interesting in their variety and in the picture they give of Dutch historical activity. Especial attention has of late been given to the collection and preservation of local and *waterschap* archives. The Committee of Advice on National Historical Publications, besides the continuance of its usual activities, has sent an agent to inventory the materials for Dutch history at Dunkirk, Valenciennes and other towns of northern France. Especial interest attaches to Dr. Brom's report on his calendar of papers for Dutch history in Italian archives. The first fruits of that undertaking have appeared, *Archivalia in Italië belangrijk voor de Geschiedenis van Nederland*, I., *Rome, Vaticaanisch Archief*, part 1 (Hague, Nijhoff, pp. xxx, 464), in which some 1295 documents, of dates from 1248 to 1757, but chiefly of the sixteenth century, are described.

*Die Niederländer im Mittelmeergebiet zur Zeit ihrer höchsten Machtstellung*, by Dr. H. Wätjen, constitutes the second number in the series of essays on the history of trade recently initiated by the *Hansische Geschichtsverein* and previously noticed in these pages (XIV. 194).

The principal contents of the fourth part of the sixty-seventh volume of the *Bulletin* of the Royal Historical Commission of Belgium (Brus-

sels, Kiessling, 1908, pp. lxi-lxxxviii, 269-303), are the report of M. J. Cuvelier on his researches in the archives of Holland for acts of the States General of the Netherlands during the Burgundian period, and the texts of several accounts of a corporation of Bruges in the fourteenth century, communicated by M. de Pauw. The Commission has determined to print the index, now ready, to the *Correspondance du Cardinal Granvelle*.

We should have noted earlier M. Eug. Hubert's study of *Les Pays-Bas Espagnols et la République des Provinces-Unies depuis la Paix de Munster jusqu'au Traité d'Utrecht (1648-1713): La Question Religieuse et les Relations Diplomatiques* (Brussels, Lebègue, 1907, pp. 481). The author has a unique knowledge of the political, diplomatic and religious situation in Belgium under the Austrian régime, and his comparison of conditions there and in the United Provinces is based on a minute analysis of documentary evidence.

The second part of Mr. D. C. Boulger's *History of Belgium*, published by the author from 12 Bloomsbury Square, London, W. C., extends from the battle of Waterloo to the death of Leopold I.

#### NORTHERN AND EASTERN EUROPE

É. Driault has contributed a long "general review" of the Eastern Question to the *Revue de Synthèse Historique* for December.

Mr. R. Nisbet Bain, whose *Slavonic Europe* was reviewed in the October number of this journal (XIV. 110), is publishing through Methuen a study of *The Last King of Poland and his Contemporaries*, based on many hitherto unknown documents.

Professor Adolf Warschauer, archivist of the state archives of Posen, has contributed to the *Mitteilungen der K. Preussischen Archivverwaltung* (Leipzig, Hirzel), the thirteenth heft, entitled *Mitteilungen aus der Handschriftensammlung des Britischen Museums zu London, vornehmlich zur Polnischen Geschichte* (1909, pp. 80).

*The Mongols in Russia*, by Jeremiah Curtin (London, Sampson Low), is a continuation of *The Mongols: A History*, reviewed in an earlier number of this journal (XIII. 562).

A study of the origins of modern Russia, by M. K. Waliszewski, has been issued by MM. Plon-Nourrit under the title *Le Berceau d'une Dynastie: Les Premiers Romanov, 1613-1682*.

From the Oxford University Press comes a handsome illustrated volume, *Rhodes of the Knights* (1909), by Baron de Belabre, for some years consul at Rhodes, who having studied in detail the palaces and fortifications built by the Knights of Saint John during their residence in the island, attempts to show the connection between the monuments and the social and military life of their builders.

## AMERICA

## GENERAL ITEMS

Professor Fish expects to finish by July his work in Rome for the Department of Historical Research in the Carnegie Institution of Washington. After supplementary labors in Naples and Venice he will return to America to complete his report. Professor Marion D. Learned of the University of Pennsylvania sailed for Germany late in February, to spend six months in making a systematic inventory of manuscript materials for the history of the German emigration to America. Mr. Leland will return to Paris in June, to spend the next four months in the completion of his *Guide to the Materials for American History in the Archives of Paris*. Professor Bolton's Mexican guide is still in course of preparation. In the search for letters of delegates to the Old Congress Professor Burnett has covered the collections in Baltimore and most of those in New York. Dr. James A. Robertson has been preparing for the press the list of transcripts of Spanish archive-documents on American history now preserved in America. Mr. David W. Parker has finished a large section of the proposed calendar of papers in Washington relating to the territories. The Institution has at length issued the *Guide to the Manuscript Materials for the History of the United States to 1783, in the British Museum, in Minor London Archives, and in the Libraries of Oxford and Cambridge*, compiled by Professor Andrews and Miss Davenport, a volume of 499 pages. Without anticipating the functions of its reviewer, we may say that it contains a very great amount of fact useful to the investigator into the colonial history of English America.

The *Report of the Committee on the Documentary Historical Publications of the United States Government*, appointed by President Roosevelt in February, 1908, as an assistant committee to the Committee on Department Methods, has been printed by the latter as a quarto pamphlet of 41 pages. On February 11 the President sent it to Congress with a message, and message and report have since been printed as Senate Doc. No. 714 of the session concluded March 4. The report contains a review of the course hitherto pursued by the government in the matter of historical publications; a general survey of the publications hitherto made and of the gaps still existing between or among them; a body of recommendations for filling such gaps, especially by the inception of a series of National State Papers, conceived as a continuation, modernized, of the old *American State Papers*; a body of considerations respecting the system which the government ought to pursue in order to secure proper direction of such work and proper quality in the product, with a statement of the systems pursued by other governments; and finally, a series of suggestions for the organization of a permanent Commission on National Historical Publications, with

a bill which, it is hoped, may be introduced in the Sixty-first Congress. Copies of the report have been sent to all members of the American Historical Association, and it is hoped that all who find themselves in general agreement with its conclusions will use their influence to secure from Congress a more scientific and economical system for dealing with this important problem.

All of the proofs of vol. I. of the *Annual Report of the American Historical Association* for 1907 have been read; those of vol. II., Texan diplomatic material, are now being collated with the original documents in Austin.

Messrs. Charles Scribner's Sons expect to bring out some time in April the Report of the Committee of Eight on History in Elementary Schools.

*Writings on American History, 1907*, the second volume of the annual bibliography edited by Miss Grace G. Griffin, is all in type except the index, and may be expected to come from the press (Macmillan Company) in May.

The New Netherland volume in the "Original Narratives" series may also be expected to appear in May.

In the last *Year Book* of the Carnegie Institution Mr. Wilberforce Eames announces that he has completed the manuscript for the continuation of Sabin's *Dictionary of Americana* from "Smith" to the end of the alphabet.

The fifth annual meeting of the Pacific Coast Branch of the American Historical Association was held at the University of California, November 21, 1908. Professor E. D. Adams of Stanford University read a paper on English Interest in the Annexation of California, which we shall have the pleasure of printing in a future number. Other papers were read by Mr. Don E. Smith of the University of California, on The Viceroy of New Spain in the Eighteenth Century, by Professor J. N. Bowman of the same university, on the Pacific Northwest and the Pacific Ocean, and by Mr. F. J. Teggart, curator of the Bancroft Library, on Explorations of the Missouri River before Lewis and Clark. There was also an extended discussion of the report of the Committee of Seven. About sixty persons were present at each session and thirty-five attended the banquet in the evening.

In the Pan-American Scientific Congress held at Santiago, Chile, December 25, 1908, to January 5, 1909, history had a small place. Among the papers which we note upon the programme was one by Dr. Hiram Bingham on the reasons why the English colonies, on achieving their independence, became a single nation, while the Latin-American colonies did not even confederate; others were, Tendencies toward Federalism and Unitarism in Latin America, by Esteban Guardiola;

Foundations of English and Spanish Colonial Civilization in America, by Professor Bernard Moses; The Initiation and Commencement of the South American War of Independence, by Luis Arce; The Historical Literature of Chile, by Luis Galdames; The Work of the Historians of the United States, by Professor W. M. Sloane; America in the Pacific, by Professor A. C. Coolidge; The Evolution of the Principle of Arbitration in America, by J. F. Urrutia, Colombian minister of foreign affairs; and The Most Favored Nation Clause in American Commercial Treaties, by Julio Philippi.

The Library of Congress has received by transfer from the Department of State the applications for office during the presidency of George Washington (described in Van Tyne and Leland's *Guide*, p. 55); from the Pension Office, Revolutionary account books, almanacs, journals and diaries, and orderly books, formerly filed in the Record Division (*ibid.*, p. 212); from the office of the Secretary of the Interior, papers relating to the suppression of the slave trade, and efforts made in 1863 to colonize negroes (*ibid.*, p. 202). It has also received by gift of Mrs. William Reed, William B. Reed's diary of the mission to China, 1857-1859; by gift of the Rev. A. B. Clark of South Dakota, Battiste Good's Winter Count, from 900 A. D. to 1907; by gift of J. P. Maclean of Franklin, Ohio, miscellaneous papers relating to Richard McNemar and the Shaker movement in Ohio; besides some additional Jefferson and Richard Bland Lee papers, and minor accessions.

Among the numerous articles in the *Journal of American History*, volume II., no. 3, are: "The Genesis of California", by Z. S. Eldredge; portions of General Washington's order book (in possession of Mrs. E. F. Brown); "First Newspapers in America", by L. H. Weeks and E. M. Bacon; "Autobiography of a Bavarian Immigrant, 1784" (translated from the original manuscript in the possession of Mrs. I. B. Hasselman); "First Court Trials in America", by J. C. Eno; "First White Owners of Land in America", by T. W. Bicknell.

The *Magazine of History* is printing (November, December and January issues) the journal of the committee who built the ships *Providence* and *Warren* for the United States in 1776, edited by James N. Arnold. In the December issue is printed a letter from William Whipple and Josiah Bartlett to Meshech Weare, June 26, 1776, and one from Whipple to Bartlett, February 7, 1777. The "member from N. Carolina" mentioned by Whipple was not Aedanus Burke, as stated in a footnote, but Thomas Burke. There are several reprints in these issues, beside continued articles hitherto mentioned.

The December number of the *American Monthly Magazine* contains an article on "The Quinton's Bridge Skirmish", March 17, 1778, by Augusta Austin Pettit, and one on Virginia Revolutionary forts, by Mrs. Mary C. Bell Clayton.

Among the contents of the *American Historical Magazine* for November are: "Washington's Army in Lowantica Valley, Morris County, New Jersey", by A. M. Sherman; "Heroes of the Battle of Point Pleasant", by Delia A. McCulloch; and a portion of the diary of an officer in the Indian country in 1794, contributed by Ernest Cruikshank.

In the *Records* of the American Catholic Historical Society for September the series of letters from the Baltimore archives is continued, as is also the correspondence, from the archiepiscopal archives at Quebec, relating to the dioceses of New Orleans and St. Louis. Of especial interest in the first mentioned series are the letters of Father Badin to Bishop Carroll, written from Kentucky in 1796. Rev. T. C. Middleton contributes to this issue an account of "A Typical Old-Time Country Mission: St. Paul's of Mechanicsville, New York".

Professor Francis N. Thorpe's new edition of Poore, so enlarged as to be virtually a new work, *The Federal and State Constitutions, Colonial Charters and other Organic Laws of the States, Territories and Colonies now or heretofore forming the United States of America*, is beginning to be issued from the Government Printing Office. It will form a series of seven octavo volumes.

In Miss Hasse's series of indexes to the economic material in the public documents of the American states, the Carnegie Institution has recently published the volumes for New York (pp. 553) and California (pp. 316); that for Illinois is in the press.

The issue of the *German American Annals* for November and December contains a paper by Dr. G. G. Benjamin entitled: "Germans in Texas". The paper gives an account of German immigration from 1815 to 1848 and of the reasons which led the early settlers into Texas. About half the pages of this issue are devoted to the exercises of "German Day of Founders' Week", October 6, 1908, the two hundred and twenty-fifth anniversary of the arrival of the first German settlers of Germantown. One feature of the exercises was the laying of the cornerstone of a monument to Francis Daniel Pastorius. Several of the addresses delivered on the occasion are here printed.

*German Literature in American Magazines, 1846-1880* (Bulletin of the University of Wisconsin, No. 263, pp. 188), by M. H. Haertel, is an analytical study of the interest in German life and culture manifested by Americans during the period under consideration. In pursuing the study a large number of journals has been examined, and 83 pages of the monograph are occupied with a chronological list of the references used. A similar study for the period prior to 1846, by Dr. S. H. Good-night, was noted in the issue of the REVIEW for July.

Professor A. B. Faust's *German Element in the United States*, which won the Conrad Scipp prize of \$3000, will be published during the year by the Houghton Mifflin Company.

The New York Public Library has issued: *German American Researches: The Growth of the German American Collection in the New York Public Library during 1906-1907*, by R. E. Helbig. It appears in both English and German texts, reprinted from the *German American Annals* and *Deutsch-Amerikanische Geschichtsblätter*, respectively.

*Bulletin No. 2* of the United States Military Academy is a catalogue of manuscripts, rare books, memorabilia and the like in the library of the academy, prepared by Dr. Edward S. Holden, librarian. The catalogue shows numerous letters and documents dating from 1774 to the present time, many of which would appear to have value not only for military but also for political history. A considerable number of the letters are printed in full. The arrangement of the catalogue is chronological.

Volumes I. and II. of Mr. Robert W. Neeser's *Statistical and Chronological History of the United States Navy* have come from the press of the Macmillan Company.

*Old South Leaflet No. 197* is a reprint of Noah Webster's essay (published in 1785) advocating a firmer national government, together with the correspondence between Webster and Madison concerning the pamphlet. No. 198 of the leaflets is a reprint of Webster's history of the United States published (1790) in his *American Selection of Lessons in Reading and Speaking*.

*The Primitive Aryans of America*, by T. S. Denison (published by the author at Chicago, pp. 189), is mainly a philological study. The author maintains that "the Mexican language is Aryan in vocabulary and in verb conjugation" and aims to show the relationship of the Aztecs and kindred tribes to the Indo-Iranians.

#### ITEMS ARRANGED IN CHRONOLOGICAL ORDER

Messrs. Duffield have issued a reprint of Crèvecoeur's *Letters of an American Farmer*, with a preface by Professor W. P. Trent and an introduction by Ludwig Lewisohn.

In the January issue of the *Essex Institute Historical Collections* is an article by Robert E. Peabody on the noteworthy career of a Revolutionary sea-captain, John Manley of Marblehead. In the same issue is begun the publication of the records of the vice-admiralty court at Halifax, Nova Scotia. These records are for the period of the Revolution and also for the War of 1812.

It is announced that a work entitled *Napoleon and America*, by Edward L. Andrews, will be issued shortly by Mitchell Kennerly.

A correspondent has called our attention to the fact that there are two editions, identical in title-page and date (1834) but different in pagination, of the first two volumes of the *Annals of Congress*. Refer-

ences in official and historical books have apparently been usually made to the pages of the second of these editions.

Since the publication of the *Fillmore Papers* by the Buffalo Historical Society a large mass of Fillmore papers, previously supposed to have been destroyed, has come to light. They are mostly letters to Fillmore. Selections from them will be printed by Mr. Severance in a subsequent volume.

Houghton Mifflin Company have issued *The Ancestry of Abraham Lincoln*, prepared by J. Henry Lea and J. R. Hutchinson. The volume, which is a handsome quarto, contains numerous documents, photogravure facsimiles, etc. Among the many other books on Lincoln which are appearing may be mentioned *Abraham Lincoln: Tributes from his Associates*, edited by William Hayes Ward and published by the firm of Crowell; *The Assassination of Abraham Lincoln and its Expiation*, by D. M. DeWitt, published by Macmillan; Henry C. Whitney's *Life of Lincoln*, edited by M. M. Miller (Baker and Taylor Company); and *Abraham Lincoln*, by Brand Whitlock, published in Small, Maynard and Company's "Beacon Biographies". Lincoln bibliographies were issued by the public libraries of Boston, Brooklyn and Chicago.

The one hundredth anniversary of Lincoln's birth was celebrated on February 12 by many of the historical societies of the country, with exhibitions of Lincolnia and with addresses and other exercises. Among those who delivered addresses at the celebration held at Springfield, Illinois, were the British ambassador, Mr. James Bryce, and the French ambassador, M. Jusserand.

*The Lincoln Tribute Book: Appreciations by Statesmen, Men of Letters, and Poets at Home and Abroad*, edited by Horatio S. Krams (G. P. Putnam's Sons, pp. x, 146), contains about sixty-five selections from half as many sources representing all phases of Lincoln's life and character. The book includes a Lincoln centenary medal from the second design by Roiné, as also a brief history of the medal and a sketch of the artist.

G. P. Putnam's Sons announce for early publication *The Negro Problem: Abraham Lincoln's Solution*, by W. P. Pickett.

*Jefferson Davis: A Judicial Estimate*, an address delivered by Bishop Charles B. Galloway at the University of Mississippi, June 3, 1908, has been issued as a bulletin of the university.

Volume VII. of the *Papers* of the Military Historical Society of Massachusetts is *Kentucky and Tennessee Campaigns and their Battles*.

It is agreeable news to all students of recent American history that Mr. James Ford Rhodes has determined to continue his history of the United States from the year 1877, the point at which the seventh volume, published three years ago, was brought to a conclusion.

Mr. G. H. Boyd's valuable reference book on tariff legislation and debates in Congress from 1846 to 1897, mentioned in our last issue (XIV. 416), has now been printed in a considerable edition as Senate Doc. No. 547, 60th Congress, 2d Session. Its title is *Customs Tariffs: Senate and House Reports, 1888, 1890, 1894, 1897* (pp. 482).

#### LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

The first *Report* of the State Historian of Maine, Dr. Henry S. Burrage, has been issued. One of the efforts which the State Historian has been making is to secure as complete a roll as is possible of the officers and men from Maine who were with General Pepperrell at the capture of Louisbourg in 1745. Effort has also been directed to gathering or locating materials relating to the history of Maine prior to 1820, and to preserving and systematizing all the public archives.

The Maine Historical Society has come into possession of the journal kept by Rev. John Wiswell of Falmouth (now Portland) while serving as chaplain of an English vessel holding a letter of marque. Wiswell had previously been chaplain in the Continental service.

*New Hampshire as a Royal Province*, by William H. Fry, is a recent issue of the "Columbia University Studies in History, Economics and Public Law".

The *New Hampshire Genealogical Record* prints in its October issue the list of New Hampshire privateers, 1776-1782, which was prepared for the Library of Congress by Mr. C. H. Lincoln.

The Massachusetts Historical Society has appointed special committees to provide for the preparation of special editions of Bradford's *History of Plymouth Plantation*, of the *Journal* and papers of Governor John Winthrop and of the diaries and papers of Increase and Cotton Mather. It is intended that the editions of Bradford and Winthrop shall be more elaborate than any heretofore produced, marked by the best scholarship and accompanied by notable illustrations. A much-needed definitive edition of Cotton Mather's *Magnalia* will follow.

The Prince Society expects before long to publish the sixth and seventh volumes of its *Edward Randolph*, of which the first five volumes were published in 1898 and 1899. It will also issue a volume of documents relating to colonial currency, edited by Mr. Andrew McFarland Davis.

The Revolutionary regimental article in the January issue of the *Massachusetts Magazine* is "Colonel Ephraim Doolittle's Regiment", by F. A. Gardner. In the "Department of the American Revolution" appear some documentary materials relating to the brigantine *Independence*.

*The Story of the Old Boston Town House, 1658-1711*, by Colonel J. H. Benton, has been privately printed at Boston.

The principal contents of volume XIII. of the *Historical Collections of the Topsfield Historical Society* (Topsfield, Massachusetts, 1908, pp. 168) are the witchcraft records relating to Topsfield which have been gathered by the editor, Mr. George F. Dow, from the original records and documents in the custody of the clerks of courts for Essex County, from the Massachusetts archives, from the manuscript collections of the Massachusetts Historical Society and of the Essex Institute. An historical sketch of "Topsfield in the Witchcraft Delusion" is contributed by Mrs. Abbie Peterson Towne and Miss Marietta Clark.

*Historical Catalogue of the Members of the First Baptist Church in Providence, Rhode Island* (pp. 190), compiled and edited by Rev. Dr. Henry M. King with the aid of Charles F. Wilcox, has been issued in Providence. The work includes an outline of the history of the church and contains several portraits and other illustrations.

The twelfth volume of the *Collections of the Connecticut Historical Society*, a book of 500 pages, was issued in January. Its sub-title is *Lists and Returns of Connecticut Men in the Revolution, 1775-1783*. It contains supplementary official lists and returns of soldiers serving from different towns, as well as some rolls not previously printed. "Its chief value will be found to consist in the addition, in the case of a great majority of the soldiers, of the name of the town from which the soldier came." The society has recently received about four hundred letters of the family of General Jabez Huntington of Norwich, dating from 1758 to 1814. The greater part of them were written by his son, the distinguished General Jedediah Huntington, during his service in the Revolutionary War.

A photographic reprint of Dr. Eleazer Wheelock's *Plain and Faithful Narrative of the Indian Charity School at Lebanon in Connecticut* has been brought out by George P. Humphrey, Rochester, New York.

The New York Historical Society has entered on the occupancy of its handsome new building at 170 Central Park West. The interior of the new building is not quite complete, but most of the volumes in the library have been arranged on their respective shelves.

The Macmillan Company announce for spring publication a *History of the City of New York*, by Mrs. Schuyler Van Rensselaer.

The Macmillan Company have issued a serviceable little volume of 115 pages entitled *Artificial Waterways and Commercial Development (with a History of the Erie Canal)*, by A. B. Hepburn. Although the Erie Canal appears only parenthetically in the title it is in reality the author's theme. The text abounds in figures and there are several pages of statistical tables.

The *Year Book of the Schenectady County Historical Society, 1906-1908*, contains, besides official reports, articles of some interest though

for the most part of local concern. "Early Church History of Schenectady", by E. C. Lawrence, and "Snake Dance of the Moqui Indians of Arizona", by Brigadier-General Charles L. Davis, may be mentioned.

An appropriate contribution to the celebration of the sesqui-centennial anniversary of the destruction of Fort Duquesne is the publication, in the *Pennsylvania Magazine of History and Biography*, of the letters of the officers in charge of the expedition. "Selections of the Military Correspondence of Colonel Henry Bouquet, 1757-1764", edited by Helen Jordan, appear in the October and January issues, and "Letters of General John Forbes, 1758", in that of January. Other articles of interest in the issue for October are: "Pirates and Privateers in the Delaware Bay and River", by William M. Mervine; "York, Pennsylvania, in the Revolution", by John C. Jordan; and "President Washington in New York, 1789", a caption covering four letters of Tobias Lear to Colonel Clement Biddle. In the January issue is a paper by Hon. Hampton L. Carson on "Dutch and Swedish Settlements on the Delaware", and "Reincke's Journal of a Visit among the Swedes of West Jersey, 1745". Of interest also is "Thomas Sully's Register of Portraits, 1801-1871" (begun in October), arranged and edited with an introduction and notes by Charles Henry Hart.

Recent accessions of manuscripts to the Historical Society of Pennsylvania have been eight war maps of General Knox, used in the campaign for the defence of the Delaware; sixty-two letters of General William Hand; and thirty-one documents and letters of the Revolution, including minutes of courts martial at Valley Forge.

It is announced that Dr. Ellis P. Oberholtzer has in preparation a history of Philadelphia, which will be brought out by the S. J. Clark Publishing Company of Chicago. The work is to be in four volumes and elaborately illustrated.

Mrs. I. M. E. Blandin is the author and Messrs. Neale of Washington are the publishers of a *History of Higher Education for Women in the South prior to 1860* (pp. 328). The history begins with the founding of the Ursuline Convent in New Orleans in 1727.

*The Self-Reconstruction of Maryland, 1864-1867* (Johns Hopkins University Studies, Series XXVII., Nos. 1-2), by W. S. Myers, Ph.D., continues the study begun by the author in his monograph *The Maryland Constitution of 1864*, which appeared in Series XIX. of the Johns Hopkins Studies. The study, based mainly upon official publications and newspapers, not only throws light upon political conditions in Maryland but brings into view the relation between the state and national movements.

The December issue of the *Maryland Historical Magazine* brings to a conclusion Dr. Bernard C. Steiner's paper on Benedict Leonard Cal-

vert, Mr. Richard D. Fisher's contribution, "The Case of the Good Intent", and the selections from the Calvert Papers known as the "Proceedings of the Parochial Clergy".

Mr. A. J. Morrison, in a pamphlet entitled *The District in the XVIII<sup>th</sup> Century: History, Site-Strategy, Real Estate Market, Landscape, etc.*, has reprinted the descriptions of the District of Columbia in the books of travel of Henry Wansey, Francis Baily, Isaac Weld, the Duke of La Rochefoucauld-Liancourt and John Davis.

The contents of the January number of the *Virginia Magazine of History and Biography* are for the most part the documentary series hitherto noted. Among the items from the Randolph manuscript are a letter from the governor and council of Virginia to the Privy Council in regard to Lord Baltimore, November 9, 1629; and the royal commission to the Earl of Dorset and others to consider the state of Virginia, June 17, 1631. Under the caption "Virginia in 1641-1649" appear a number of orders of the Council of State and of the Committee of Admiralty, 1649-1650. Among the "Miscellaneous Colonial Documents" are a petition to Governor Spotswood, September 4, 1713, in regard to the duty on imported slaves, and some documents relating to Virginia volunteers in South Carolina service in 1715. The selections of "Virginia Legislative Papers" are the interesting reports of Colonels Christian and Lewis during the Cherokee expedition of 1776. This number of the magazine contains the proceedings of the society at its annual meeting, January 1, 1909.

The librarian of the Virginia State Library, Dr. H. R. McIlwaine, will shortly issue his report, which will include special reports of the archivist, Mr. H. J. Eckenrode, and of the bibliographer, Mr. William Clayton-Torrence. Among the accessions recently made to the Department of Archives and History are the muster-rolls of the Virginia troops in the Revolutionary War, Virginia pension lists from 1788 to 1804 and the Prince George County court order-book for the years 1714-1720. The latter had disappeared during the Civil War and recently turned up at a book-sale in New York. The library has recently issued the sixth volume of the *Journals of the House of Burgesses* (pp. xxix, 551) of the years 1752-1758, and has in press a calendar of legislative petitions, covering the period from the beginning of the Revolution to the Civil War, and the first part (1608-1755) of a trial bibliography of colonial Virginia. The text of the bibliography for the years 1755-1776 was unfortunately burned while it was being put into type.

The Virginia Historical Society has received by gift from Mr. Herbert DuPuy, of Pittsburgh, Pennsylvania, the business correspondence of Henry Banks, a prominent merchant of Richmond during the period succeeding the Revolution. These papers are of value for the study of the commerce of the times.

The principal articles in the January issue of the *William and Mary College Quarterly Historical Magazine* are the "Narrative of George Fisher" and the article on James Mercer, both continued from the October number of the *Quarterly*.

Mr. C. M. Long has prepared a volume on *Virginia County Names*, which has been published at Washington by Neale (pp. 207).

Dr. John W. Wayland, whose book *The German Element of the Shenandoah Valley of Virginia* recently appeared, writes for the January issue of the *Pennsylvania German* an article entitled: "The Pennsylvania-German in the Valley of Virginia". In the same issue of this periodical is reprinted an interesting campaign document in the form of a handbill bearing the headlines: "Political Facts, addressed, more especially, to the German Citizens of Bucks County, and their Descendants: (By a Meeting held at Rock Hill, August 30, 1800)".

The legislature of West Virginia has appropriated \$18,000 for the prosecution of the work of the state Department of Archives and History.

*Publications of the North Carolina Historical Commission, Bulletin No. 2*, is a history of the North Carolina historical exhibit at the Jamestown exposition, together with a complete catalogue of the relics, portraits and manuscripts exhibited. The bulletin was prepared by Mary Hilliard Hinton, the custodian of the exhibit.

The *Narrative of Colonel David Fanning*, which appeared serially in the *Canadian Magazine*, has now been issued at Toronto, with introduction and notes by Judge A. W. Savary. Fanning's *Narrative of Adventures in North Carolina*, written in 1790, was printed in an incomplete form in Richmond in 1861, and reprinted in New York in 1864. The present text is presumed to be both complete and accurate.

With the beginning of its tenth volume, the editorial care of the *South Carolina Historical and Genealogical Magazine* passes from the hands of Mr. A. S. Salley, Jr., now secretary of the State Historical Commission at Columbia, into those of Miss Mabel L. Webber. The January number of the magazine contains the beginning of a series of letters written by Commodore Alexander Gillon in 1778 and 1779, an article by Mr. H. A. M. Smith on Willtown or New London, in his series on the early towns of South Carolina, a narrative of the second Tuscarora expedition, by Hon. Joseph W. Barnwell, incorporating much original material, and an historical narrative by the Indian trader Ludovick Grant, relating to Indian cessions of land from 1729 to 1756 and derived from the records of the probate court of Charleston.

The Georgia Historical Society will publish at once, as volume VII., part I, of the society's *Collections*, a translation of Montiano's account of the siege of St. Augustine by Oglethorpe. The volume will bear the title, *Letters of Montiano: Siege of St. Augustine*.

The biographical sketch of Richard Keith Call by his grand-daughter, Caroline Mays Brevard, begun in the July number of the *Quarterly of the Florida Historical Society*, is concluded in the issue for October. In the same issue, reprinted from the *Magazine of History*, is Mr. G. B. Utley's paper on the origin of county names in Florida.

In the *Quarterly* of the Texas State Historical Association for October, under the title "The Experiences of an Unrecognized Senator", appears the journal of O. M. Roberts, giving an account of his election to the Senate in 1866 and his experiences in Washington in the effort to obtain his seat. The address which the Texas delegation issued to the Congress and the people of the United States, dated January 1, 1867, is included in this journal. Professor Herbert E. Bolton contributes to this issue of the *Quarterly* some notes on Clark's *Beginnings of Texas*.

The Neale Publishing Company have issued *The Lone Star Defenders: A Chronicle of the Third Texas Cavalry, Ross' Brigade*, by B. S. Benton.

The Macmillan Company will shortly issue *The Story of the Great Lakes*, by Edward Channing and Marion F. Lanning.

The annual meeting of the Ohio Valley Historical Society was held at Marietta, Ohio, on November 27 and 28. The first session of the meeting was devoted to the subject of manuscript collections, which included a paper by Miss Hortense Foglesong descriptive of the Charles G. Slack collection of manuscripts in the Marietta College Library. The principal address was by President S. C. Mitchell of the University of South Carolina, on Present Day Problems of the South. Others papers were "The Relation between Geography and History", by Miss Ellen C. Semple; "Historic Beginnings of the Ohio Valley", by Dr. W. J. Holland; "The Ohio River, its Improvement and Commercial Importance", by Colonel John L. Vance; and "Lord Dunmore's War", by Mr. Virgil A. Lewis. There was a meeting of history teachers, and a session devoted to papers on historic highways. The society is endeavoring to arouse interest in all phases of historical work in the region of the Ohio Valley, and especially to locate manuscripts and other valuable material in private keeping and ultimately, if possible, to direct it to some safe repository. The *First Annual Report* of the society, comprising the proceedings of the conference held at Cincinnati on November 29 and 30, 1907, has been issued by the Ohio State Archaeological and Historical Society (Columbus, 1908, pp. 118).

Professor Archer B. Hulbert contributes to the October issue of the *Ohio Archaeological and Historical Quarterly* a paper on Washington's tour to the Ohio in 1770. Several pages are devoted to an account of Washington's relations to the West and the causes which led to the tour, including the articles of Washington's Mississippi company, not hitherto

printed, and Washington's journal of the tour is subjoined. It is unfortunate that the journal was not put into different type from the body of the article; paragraphs inserted by the author should have been distinguishable to the eye from the journal. In the same number of the *Quarterly* is an elaborate article on "Old Fort Sandoski of 1745 and the 'Sandusky Country'", by Lucy Elliot Keeler. The article contains numerous illustrations, maps and plans. In the January number Mr. E. O. Randall writes of "Rutland: The Cradle of Ohio", and Mr. L. J. Weber gives a version of Morgan's raid.

In the July-September issue of the *Quarterly Publication of the Historical and Philosophical Society of Ohio* appears the fourth installment of the Torrence Papers, arranged and edited by Professor I. J. Cox. The letters (1830-1841) relate mainly to the career of William Henry Harrison, some of them being from Harrison himself. The October-December issue is the annual report.

The department of archives and history of the Indiana State Library has recently obtained an almost complete file of Logansport newspapers, including the *Pottawatomic Times*, the first paper published in the Logansport region.

Mr. Arthur W. Dunn's suggestive paper on "The Civic Value of Local History", read before the Ohio Valley Historical Association at Marietta on November 29, appears in the December issue of the *Indiana Quarterly Magazine of History*. In the same issue of this periodical is reprinted, from the Indiana Senate Journal for 1821, a rare educational report.

Of chief interest in the recent numbers of the new *Journal of the Illinois State Historical Society* are the articles by Dr. J. F. Snyder on "Prehistoric Illinois".

*A History of the Swedes of Illinois*, in two volumes, has been brought out by Engberg-Holmberg Publishing Company, Chicago. It is the work of E. W. Olson, who is named as editor, in collaboration with Anders Schön and M. J. Engberg. A large portion of the work consists of biographical sketches and there are numerous portraits.

After some interval the Chicago Historical Society has found itself able to resume the publication of volumes in its series of collections. Volume V., *The Settlement of Illinois*, by Professor Arthur Clinton Boggess of the Pacific University (pp. 267), a careful study of both social and political conditions, has just appeared.

It is understood that Judge Walter B. Douglas of St. Louis has undertaken for the Chicago Historical Society the annotation of the parish records of Ste. Anne de Fort Chartres, with a view to ultimate publication by the society, which possesses the original manuscript.

The Wisconsin Free Library Commission has issued, as "Study Outlines No. 23", *History of Wisconsin, 1634-1909*, to which is added a classified list of papers in the *Collections* and the *Proceedings* of the Wisconsin Historical Society (Madison, 1909, pp. 46).

The pages of the *Iowa Journal of History and Politics* for January are occupied mainly with Professor F. H. Garver's thorough account of the "Boundary History of Iowa Counties". Mr. John E. Brindley contributes a short account of the legislative reference movement.

The number of the *Annals of Iowa* for January, 1909, is entirely devoted to a memorial of Mr. Charles Aldrich, the founder and for eighteen years the curator of the State Historical Department of Iowa.

The Missouri Historical Society has recently received from Captain Francis Vallé an addition to its collection of Vallé Papers, consisting of a large number of letters and documents of the years 1770 to 1803. There are many letters from the Spanish lieutenant-governors of Upper Louisiana, from the commandants of the various posts and from leading citizens. The Vallé family was one of the most influential in that country, and these papers accordingly throw much light on the governmental and social condition of the people at that time. The society contemplates issuing a reprint of Gen. Thomas James's *Three Years among the Indians and Mexicans*.

Mr. W. G. Bck's account of "A German Communistic Society in Missouri", begun in the October number of the *Missouri Historical Review*, is concluded in the issue for January. "A Decade of Missouri Politics, 1860-1870", is a paper read by Judge H. C. McDougal before the State Historical Society of Missouri in 1904. The author avows that he writes "from a Republican viewpoint". Mr. William S. Bryan begins in this issue a series of articles relating to Daniel Boone.

The Arkansas Historical Association hopes to secure from the state legislature an appropriation enabling the association to continue its publications, and also the enactment of legislation creating a permanent history commission with a salaried secretary. The bill, which provides that the secretary shall take charge of all archives of the state not in current use, has already passed the senate.

The Kansas State Historical Society has recently acquired the manuscript memoirs of Dr. Alexander W. Reese, of Warrensburg, Missouri. The memoirs are for the years 1855 to 1866 and are concerned largely with the troubles of the Kansas border.

Bulletin No. 34 of the Bureau of American Ethnology is *Physiological and Medical Observations among the Indians of Southwestern United States and Northern Mexico*, by Aleš Hrdlička. The earlier pages of the volume treat of the Indian population in the region studied, the physical types represented, general and personal environments, habits of life, social condition, etc.

Professor Edmond S. Meany has prepared a *History of the State of Washington* which will shortly be brought out by the Macmillan Company.

Mr. Charles W. Smith's *Contribution toward a Bibliography of Marcus Whitman* (pp. 62), published in the *Washington Historical Quarterly*, October, 1908, has been issued as a bulletin of the University of Washington.

It is announced that Professor W. D. Lyman of Whitman College is preparing for Messrs. Putnam's "Historic Rivers" series a volume on the Columbia River.

A new bilingual monthly published at Manila under the double title *Biblioteca Nacional Filipina—Philippine National Library* has commenced in its first number (dated October 30, 1908) a series of articles on the representation of the Philippines in the Cortes of Spain between 1809 and 1837, and on the legislative features of the "Philippine Republic", 1898-1899, as preliminary to the recent inauguration of an elective assembly in those islands. The editor, Señor Manuel Artigas y Cuerva, promises other series of historical interest, including especially the production of some hitherto unpublished manuscripts lying in the friars' archives at Manila.

A special report recently published at Manila as a Philippine government document, under the title *A History of Asiatic Cholera in the Philippine Islands*, by Dean C. Worcester, Secretary of the Interior, contains many hitherto unpublished statistics and other data regarding cholera epidemics under Spanish rule, and gives in general a much more complete history of the disease in the Philippines from 1819 to date than is elsewhere available.

Messrs. Dutton have issued *The Making of Canada, 1763-1814*, by Arthur G. Bradley.

It is announced that Messrs. Stanley Paul will shortly publish *Political Annals of Canada*, by A. P. Cockburn, a member of the first parliament of Ontario and of several Dominion parliaments.

The Canadian Military Institute has issued *Officers of the British Forces in Canada during the War of 1812-1815* (pp. x, 309), compiled by L. H. Irving, mainly from the records of land grants. The compiler has furnished numerous biographical and other annotations.

The papers of Thomas Talbot (1771-1853) have been edited by James H. Coyne, M.A., and printed for the author by the Royal Society of Canada. Talbot's activities in the first half of the nineteenth century in planting settlements along the northern coast of Lake Erie and his correspondence with persons of prominence in official life in England give to these papers a considerable value. A biographical account of Talbot is given in the introduction.

*L'Abbé Holmes et l'Instruction Publique*, by the Abbé Auguste Gosselin, is issued as a separate (pp. 127-172) from the *Mémoires de la Société Royale du Canada*, troisième série, 1907-1908. The Abbé Holmes was a native of Vermont (born in 1799) who passed into Canada in 1815, became a director of the seminary of Quebec, and had a large share in the preparation of the first law for normal schools, which was passed in 1836.

It is announced that the *Morning Chronicle* of Halifax, Nova Scotia, will shortly issue a new and complete edition of the speeches and public letters of the eminent statesman Joseph Howe, for many years the editor of that paper. The work is edited by Mr. J. A. Chisholm, K. C.

To the October number of *Acadiensis* Mr. D. R. Jack contributes an article on Early Journalism in New Brunswick. We regret to note that with this issue the publication of this attractive and well conducted journal is suspended.

*Noticias Bio-Bibliográficas de Alumnos Distinguidos del Colegio de San Pedro, San Pablo y San Ildefonso de México*, by Dr. Felix Osoreo, forms volumes XIX. and XXI. of the series *Documentos inéditos o muy raros para la Historia de México*, brought out under the editorial charge of Genaro García (Mexico, Bouret, 1908, pp. xiv, 336, 320).

Mr. George W. Crichfield's *American Supremacy: The Rise and Progress of the Latin-American Republics*, in two volumes, has been issued by Brentano.

Messrs. George Barrie and Sons have issued *The Old and New Peru*, by Mrs. Marie Robinson Wright.

Noteworthy articles in periodicals: Ernest Nys, *Les États-Unis et le Droit des Gens* (Revue de Droit International et de Législation Comparée, XI. 1); C. E. Hampton, *History of the Twenty-first U. S. Infantry* (Journal of the United States Infantry Association, March); Surgeon A. Farenholt, U. S. N., *A Short Account of Legislative Action in regard to the United States Navy up to the War of 1812, and Notes Concerning the Histories of Naval Vessels during that Period* (United States Naval Institute Proceedings, December); C. O. Paullin, *Services of Commodore John Rodgers in our War with Barbary Corsairs, 1802-1806* (*ibid.*); R. N. Denham, Jr., *An Historical Development of the Contract Theory in the Dartmouth College Case* (Michigan Law Review, January); Jerónimo Becker, *La Cesión de las Floridas* (La España Moderna, December); George F. Mellen, *Henry W. Hilliard and W. L. Yancey* (Sewanee Review, January); E. P. Oberholtzer, *A Midnight Conference, and other Passages from the Papers of Secretary Salmon P. Chase* (Scribner's Magazine, February); R. W. Gilder, *Lincoln the Leader* (Century, February); W. H. Lambert, *A Lincoln Correspondence: Letters of Lincoln and Senator Lyman Trumbull* (*ibid.*); Gren-

ville M. Dodge, *What I saw of Lincoln* (Appleton's Magazine, February); James Grant Wilson, *Recollections of Lincoln* (Putnam's Magazine, February); Horace White, *Abraham Lincoln in 1854* (*ibid.*, March); Gideon Welles, *Diary* (Atlantic, February, March); Margarita S. Gerry, *Rutherford B. Hayes in the White House: Being the Reminiscences of William H. Crook* (Century, March); J. G. de Rouilhac Hamilton, *The Freedmen's Bureau in North Carolina* (South Atlantic Quarterly, January); General Kuropatkin, *The Treaty at Portsmouth* (McClure's Magazine, January); Benjamin Sulte, *Missions du Haut-Canada, 1634-1640* (Revue Canadienne, February).

